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WASHINGTON, D. C.

For the National Era.

A PALACE IN GENOA.

BY EDWARD SPENCER.

XIV—Continued.

"Before we begin our walks and studies, I wish you would give us an outline of Genoese history," said Rupert.

"History!" cried Merivale, with affected dismay; "and behold you, Miss Helen already has her note-book open and pencil in hand! No; I know no history, scarcely. You will find it all set down in Sismondi—at least, I imagine so, for 'tis such a while since I read the book, that I do not remember one word of its contents. The history of Genoa is the history of every other commercial Republic—a period of early struggle and virtue; a period of wealth and prosperity; a period of arrogance and luxury; a period of internal feud, fomented by outside influence and the corrupt ambition of citizens; and, finally, loss of liberty and of commerce, and a consequent rapid decadence. The same, modified by circumstances peculiar to each, is the history of Venice, of Pisa, of Leghorn, of Florence—each rose to an unexampled height, and fell from causes for which only itself was really to blame. Yet it has seemed to be peculiarly the fate of Italy, since the extinction of Roman power, that, notwithstanding the noblest aspirations and the most desperate and devoted struggles for freedom, some constitutional defect has continually set all her labors at nought. The Italians have, perhaps, to atone for the long, black tyranny of Rome—at any rate, it appears to be the eternal destiny of this fair land

'Per servir sempre, o maledetta o vinta,'

to use the impassioned words of Filicaja.

"Genoa is a very ancient city. Just at the foot of the Alps, it was so situated as to have command of all the resources of Liguria, and its advantages were eagerly recognised by the Carthaginians, who, for the furtherance of their commerce, had stations from Sardinia to the Pillars of Hercules. From Cagliari to Genoa, from Genoa to Port Mahon, and thence to Cadiz, was the course of their trade. Genoa also was a depot from whence they drafted a large number of their troops: Ligurians, fierce mountaineers, who were by nature robbers and adventurers; and the tall savages of Gaul. After Carthage was crushed under the mail-clad heel of Rome, Genoa increased in importance as a provincial city of the Republic. But the misfortunes of Rome, in the declining days of the Empire, when war and pestilence and famine preyed upon the mistress of the world, contributed most especially to augment the importance and forward the prosperity of the cities of Lombardy, and particularly of Genoa, which was better fortified and almost as inaccessible as Venice. When Rome was sacked by Alaric first, and by Genseric the Vandal afterwards, when all her cities were burnt and her plains ravaged, then it was that the towns of Lombardy sprang up as cities of refuge, and it was then that a moderate degree of security began to be felt among the farms and villages of the open country. Gradually among themselves rose up a busy population, which poured in from the north; the armies of Belisarius, of Narses the eunuch, of Longinus, of Alboin, of Antharis, of Pepin, of Charlemagne, and of Otho, fought, conquered, and ravaged, in turn; Milan rose, and was crumbled to dust; Pavia rose, and was similarly used; so with Verona, Vercilli, and other cities; while, from her advantages of location, Genoa usually managed to escape, and continued to prosper. These long-continued disorders also contributed to give all the cities greater freedom; they acknowledged an emperor or king, as the case might be, but his power extended not much further than the assessment and collection of a moderate tribute, while the citizens gradually built up among themselves a system of municipal government which was at once democratic and strong. The German emperors granted the cities to rural lords or chiefs, who held them under a feudal tenure, and it was evidently to the interest of these lords to keep on good terms with their subjects. Many of these counts also were the bishops of their districts, who, exercising at once spiritual and temporal sovereignty, being *elected* also to their sees, and being usually a bold and active characters than soldiers, very perceptibly favored the cause of municipal freedom. In consequence of the operation of all these causes, the counts soon lost what little power they had possessed, and the cities, while perhaps acknowledging some faint allegiance to emperor or king, became actually independent republics, managing both their internal affairs and their foreign relations as they chose. In the annals Pisa, even so early as 1062, we find that city waging war with Lucca and in 1006 she, in connection with Genoa, he then ally, attacked and conquered Sardinia. From this time, the course of Genoa was right onward. She, in common with the other cities, conquered and exacted the allegiance of the rural nobility around her, until only the Marquis of Montferrat remained independent, and her territorial rights extended over the greater part of the ancient Liguria. About the middle of the twelfth century, the famous league of the Lombard cities was formed, and, though Milan and nearly the whole of Eastern Lombardy lay prostrate at his feet, the fierce Emperor Frederic Barbarossa could not hold out against so powerful a union; the battle of Legnano defeated him effectually, and in A. D. 1183, the treaty of Constance secured to the cities of Lombardy their complete and honorable independence, with just so much respect for the imperial prerogative as was consistent with the people's welfare and happiness.

"Genoa, though somewhat *outside* of Lombardy, did not escape being involved in the deadly feuds between the cities, and the fierce, relentless wars of Ghibellin with Guelf, but she managed somehow to make these react for her benefit. Not, however, without reverses. In 1241, her fleet sustained a terrible defeat by the forces of Frederic II, assisted by the Pisans, but the resources of the Swabian dynasty were too much enfeebled for the Emperor to be able to profit by it, while the progress and power of Genoa may be estimated from the fact that so early as 1174 she had possession of Montferrat, Monaco, Nice, Marseilles, commanded the entire seaboard of Provence, and had reduced the island of Corsica into entire subjection. An hundred years before this, her trade and manufactures were extensive; her flag began to wave in every known sea; her armaments, beside those of Pisa, waged deadly war upon the Saracen, and the Levant poured its wealth into the hands of her merchants. This commerce was greatly forwarded by the Crusades, which divided between Venice and Genoa the entire carrying trade of Syria. Thus advancing, she was equally the cause of jealousy to her neighbors and the seat of jealousy of them. To conquer or be conquered was inevitable. In 1119, she began her great career by a war against Pisa, her nearest neighbor and most injurious rival. During two centuries was this war kept up by their mutual equality of spirit and forces. At last, in 1284 Genoa conquered, destroying the entire Pisan navy in the fatal battle of Meloria. Twelve thousand Pisans languished in the republic's dungeons, and it became a current saying, that he who wished to see Pisa would have to seek her in Genoa."

"Who can forget that battle?" interrupted Helen, "when Dante has associated it with his most awful picture—

'Ahi, Pisa, vituperio delle genti
Del bel paese là dove il si suona;
Che se il Conte Ugolino aveva voce
D'aver tradita le delle castella,
Non dovei in i figliuoi porre a tal croce!'

"Is it true, then, that Count Ugolino—he that was starved to death, with his children, in the 'hunger-tower,' mother—is it true, Merivale, that he was traitor to his city, and for that reason was starved by Ruggieri?"

"It is difficult to speak with certainty about it, Rupert," answered the artist, "since party feeling ran so strong that it has affected and perverted the chronicles of the period. It seems pretty well established, however, that Ugolino, a Ghibeline in family, acted with the Guelph faction; that he withdrew from the battle of Meloria before it was decided; that he employed the Florentines to aid him in banishing the Ghibelines, and making himself master of the city; and that he was treacherous to his friends. Still, as Dante says, that does not excuse Ruggieri nor the Pisans for their cruelty. They show the tower in Pisa, now, where the Count, with two of his sons and two grandchildren, was imprisoned. It is on the Piazza degli Auziani, near the Arno, into which river the keys of the tower were thrown, so that neither food nor priest could reach them."

"Yet Ruggieri was never punished for it," said Rupert.

"Ah, he was a priest! Rome took care of him."

"Dante punishes both, though," said Helen, with a shudder.

"Ah, yes, Miss Helen, that great soul had a wondrous sense of justice in him; though, as the commentators need not to have told us,* it was a very stern Hebraic justice, a complete enforcement of the *lex talionis:* 'Wherewithal a man sinneth, by the same also shall he be punished.'"

Helen's eyes chanced to be turned towards her mother at this moment, and she saw her grow very pale indeed, clasping her hands as if in supplication; and Merivale, imagining from the change in the daughter's countenance that such a sombre subject either offended her, or appealed too violently to a tenderly susceptible imagination, hastened to remedy his fault, and divert Miss Helen's thoughts by resuming his account of Genoa and her wars.

"Pisa never recovered from this defeat. Losing her maritime power, she became involved in Tuscan politics, was seized by Galeazzo Visconti, and finally ignominiously *bought* from his heirs by the Florentines, for the sum of 400,000 florins! Long before this, however, and indeed before the battle of Meloria, Genoa had secured another advantage which made her the hated rival of Venice. This was her share in the overthrow of the Latin Emperors of Constantinople, and the restoration of the throne to the Greek Emperor Palæologus. In return for their aid, the Genoese secured an exclusive authority over Pera, opposite Constantinople, which suburb of the Eastern capital became a Genoese colony, ruled over by a podesta of their own appointment, and, as the Greeks soon found out, an insolent and dangerous rival, whose engines of war flung their missiles into the heart of the city, and whose brave seamen defied and defeated the entire imperial navy. Through the possession of Pera, the Genoese gained access to the Black Sea, founded a factory at Caffa, now Feodosia, and loaded her galleys at once with the wealth of the Danube, of the Crimea, of Colchis, of Persia, and of Asia Minor, even communicating with the golden regions of Kathay by means of the rivers, the caravans, and the Caspian. In consequence of the maritime power thus acquired, it became necessary for the republic to fight Venice. There was an outbreak between the two States before Pisa fell, but it was not until 1293 that the great war began, in which the rival Queens, the Statira and Roxana of commerce, contended with desperation for the supremacy of the waves. They were in the height of their power at this time, and Genoa could send out at once a fleet of one hundred and fifty galleys, manned by sixty thousand sailors, according to Muratori. For a long time, the Genoese were victorious; in a single sea-fight, of which Gibbon has given us an account, the republic met and vanquished the combined fleets of the Catalans, of Venice, and of the Greeks; leaguing herself with the Carraras of Padua and the King of Hungary, Genoa finally, in 1378, seemed about to crush forever and blot out the lion of St. Mark's. Their fleet ravaged the coast of Dalmatia, and, commanded by Pietro Doria, met, and completely defeated Pisani, the admiral of Venice, who brought back only seven galleys, and was flung into prison. Forthwith, Doria resolved to capture the city. Powerfully reinforced, he sailed into the lagunes, forced a passage, stormed the town of Chioggia, only twenty-five miles from Venice, and took four thousand prisoners. Venice sued for peace, reserving nothing but her liberty; Carrara wished the terms to be accepted; but the Genoese had waited long, hating long, and now seemed the proper time to exterminate their rival forever. Doria sent the Venetian ambassadors back, swearing that they should have no peace from him nor from Padua, 'till first we have put a curb in the mouths of those wild horses that stand upon the place of St. Mark. When they are bridled, ye shall have enough of peace.'

"But the Genoese by no means found these fierce steeds easy of access. The Venitians, finding no chance of peace, resolved upon vigorous war. Pisani was called from prison; the city was fortified; money raised; a new fleet equipped; the fleet of Doria blocked up in Chioggia by an adroit stratagem of Pisani's; and, ten months after the proud boast of their admiral, the Genoese were forced to surrender their whole fleet, and to confess themselves humbled. Said Stella, Genoa's own historian: 'God will not suffer so noble a city as Venice to become the spoil of a conqueror!' From this date, the fortunes of Genoa the Superb began to decline. Her fleets were no longer able to rival those of Venice, and she was torn by internal dissensions that suspended at once her liberty and her glory. The Government, rendered too popular, was continually exposed to the perils of demagopuism, and the rivalries and jealousies of four great families kept up the spirit of faction to a very bitter degree. Of these families, two, the Grimaldi and the Fieschi, were Guelfs; the latter, the Doria and Spinola families, were adherents of the Empire. Without being able to sustain any permanent advantages over each other, these two parties were continually revolutionizing the city; at last, in 1318, the Ghibelines were banished the city; they called upon the Visconti of Milan to aid in restoring them; the Guelfs demanded the assistance of Robert, King of Naples, against the Doria, the Spinola, and *Il visconet dei Milan*, and Genoa was subjected to a lengthy siege. The Ghibelines did not succeed in conquering their way back into power, but they seized upon the adjacent port of Savona, started it as a rival to Genoa, built fleets, traded, and even made war upon Venice. Tired at length of this throat-cutting policy, a compromise was effected, and in 1331 the Ghibelines returned to the city, but not before the conflicts between them and their opponents had brought irreparable misfortunes upon the State. The people seemed to perceive this at length, and not eight years elapsed ere they made such a change as completely ousted the four great families from all political influence, and set above them the more plebeian factions of Adorni, Fregosi, and Montalti. This change was a singular one, and affords a remarkable instance of what very slight causes will sometimes produce revolution. In 1339, the Ghibelines were in power, a Spinola and a Doria being at the head of affairs, when an insurrection broke out in the fleet, and got such headway as to be on the point of overthrowing the Government. The insurgents demanded the restoration of their *abbot*, a popular officer, whose functions resemble those of the Roman tribune; and, the demand being acceded to, some twenty delegates were appointed to make the choice. While they delayed, and the populace waited impatiently, a nameless workman called out that *he* would tell them whom to choose. The people, in fun, urged him to do so, and he named Simon Boccanegra, who was present, a man of noble birth, and well esteemed. The name was seized on, the cry taken up for Boccanegra, he was put forward, and the sword of justice placed in his hand. But, as soon as silence was obtained, Boccanegra, while thanking them, said he was compelled to decline an office for which his nobility disqualified him. 'Signior, then!' cried a voice, and it was unanimously seconded. The magistrates urged Boccanegra to accept the office of abbot; but he, taking his cue from the passions of the crowd, said he would serve his 'fellow-citizens' in any capacity. 'Let him be our *Duke*, then,' suggested some one; and, remembering how well Venice seemed to be governed, the cry of 'Doge' was thunderously received, and thus Genoa at last received an elective Chief Magistrate, which magistracy, after many vicissitudes and revolutions, was at last confirmed to an Adorno, who strengthened his claims by gaining the support of the French King, with the aid of a French garrison.

"But, although the families were thus prevented from taking a prominent share in the domestic concerns of the Republic, they had the command of her forces always, and no fleet sailed out of Genoa to victory unless it had a Doria, a Grimaldi, a Fieschi, or a Spinola, for its admiral. Yet, in spite of her many heroes, the fortunes of the Republic tended downward. When Mahommed II conquered Constantinople, he remembered the aid the Genoese had given the Emperor against him, and, in revenge, not only expelled them from Galata, but robbed them entirely of their trade with the Crimea and the Black Sea. So that while Venice was at her most flourishing stage, Genoa had sunk low indeed; her commerce gone, her name disgraced, her citadel in the hands of foreigners. Yet she had once more her regenerator, her glory and her revenge. Her revenge, in giving birth to Columbus, whose discoveries, with those of the Portuguese, opened new paths for commerce, and ruined Venice. Her glory and her hero, in the person of the lion-hearted Andreas Doria, who drove the foreigners from her gates, and gave her once more the semblance of freedom.

"A grand old sea-king was this Andrew Doria, the worthiest of his name and race, and, indeed, one of the most extraordinary and most highly gifted men of his century. Doria was born in 1468, at Carrascosa, at the very period when his country was compiled by the desperate state of her affairs to place herself under the Protectorate of Milan, and so forfeit those liberties which they had so often fought for. At the age of nineteen, the youth joined himself to the staff of a relative, Dominico Doria, General of the Papal troops, then he visited the Court of Duke Federigo of Urbino, and finally entered the service of the King of Naples, where he soon became a man of mark.

"Returning home after a quiet pilgrimage to Jerusalem, the young man saw the blood of his fellow-citizens shed like water, and it filled him with the resolution of Moses. He did not take any one's life, but he vowed to devote his own, from that time forth, to the redemption of his country. His first care was to heal all the old political wounds that were wasting away the national life, and to reconcile the nobility and the people, so as to produce between them that identity of feeling and that freedom from all mistrust which is necessary to make the classes understand and believe in a community of interests. Not ordinary work, this, for a young man; but, for Andrew Doria, it was just his nature. There should no longer be Ghibelines and Guelfs, Grimaldi and Doria, Fieschi and Spinola; no—he had determined upon quite another result; all shall be patriots, and, as children of our common fatherland, brothers. This was in the sixteenth century, mind you, and it was far more difficult then, Rupert, for a man to be a statesman, a general, a patriot, or either of those, than in the days of Aristides, in the days of Scipio, or in our days. Things become habituated with nations as with men, just as bravery was a habit in the Sparta of Leonidas; just as cowardice was a habit under the Greek emperors in Constantinople; just as patricidism was a habit in the days of Nikias Regulus; just as poisoning was a habit under Borgias and during the Brinvillier era; just as the dramatic poem was a habit in Shakspeare's time, and the historic painting in Michel Agnolo's time; just as corruption prevailed under Walpole; just as the guillotine and murder were habits in the reign of terror; just as money-getting is a habit in our worthy Republic—for examples. So, in this time of Andrew Doria, it was the Italian habit to sell one's self or one's country; to buy one's neighbor or one's country; to be treacherous, to care only for self, and in no wise either to entertain or even to believe in that exploded virtue called patriotism. So much the more glory, then, to Andrew Doria! Now, what happened when he had finally got them ready for the work which he knew was to be done? Why, they could find no other right hand than his. His sweet but firm temper and his patriotism, quietly going about, and, as *he* thought, obscurely, had made him in fact a 'bright and shining light;' all eyes turned towards him, and when, in 1513, the French were to be expelled the Republic, Andrew Doria must be their Admiral, else all their galleys were nothing worth. Results? Doria was a man of *action;* the enemy were beaten at all points, until not a foeman could be found to lift his hand against the state; more, he blotted out the Pirates who until then had rendered even the Bay of Genoa unsafe, and he lent his all-provident aid to the efforts of Fregoso for the altering and bettering the constitution of the state. A better sort of Admiral Blake, you see—not afraid to interfere in home affairs, when he thought interference would be beneficial. Putting to sea with the entire Genoese fleet, he performed many strange actions, now fighting for this prince, now against him, changing continually his side—now for France, now for the Empire—tortuous course, apparently, but one that had ever and only a single goal in view—freedom for Genoa. And this indeed he was able to conquer right speedily, for Andrew had the best navy and was the best admiral of his time. Afterwards, he swept the corsairs of Tunis and Algiers from the sea, and bearded those fierce robbers in their dens. And, after that—he fell. Restorer of liberty to the State, greatest admiral of his day—ah, he could not stand it. He had a surfeit of pride, and it choked him. Hero-worship did for him."——

"It always murders their souls," murmured Mrs. Beale, in a sort of unconscious way that very much surprised Merivale.

"——After Doria—there is no more Genoa, scarcely. Bonaparte formed a Ligurian Republic, and Massena stood a desperate siege within the city's walls—and, in 1815, Genoa was annexed to the Kingdom of Sardinia—since which period, it has known prosperity and a quiet trade."

"Mr. Merivale, thanks!" said Helen; "and now, sir, you, who claim to be ignorant of history, pray tell me how much longer history than yours, or more copious, a city needs in ordinary recital?"

"Why, *par exemple*, there's Machiavelli gives two volumes to the annals of *his* city—which Mr. Thomas Roscoe enlarges upon so much as to give a large volume to a single generation; and there is Muratori—let me see: six volumes folio, in Latin; four volumes quarto, Italian; twelve volumes folio of authorities, and twenty-six"——

"Oh, I pray you, spare me—I am satisfied—we are all satisfied that—that—all historians are prosy," said Helen, teasingly.

"*En revanche*, let me give you a brief account of the *Bank* of Genoa."

"Oh no, pray do not," pleaded Miss Beale.

Merivale was inexorable. "It was one of the first banks ever established, and a singular corporation it was, too, since it made war, conquered nations, and governed kingdoms—just like the India Company of Leadenhall street, London."

"But I vow I will not listen."

"Genoa has witnessed some strange and stirring scenes," said Merivale, suddenly changing his theme and assuming a lively air. "Think of the mustering of crusaders, gallant and impatient, here in the harbor—think of the child's crusade, when ninety thousand children came pouring into the city *en route* to capture the East—think of the *Bianchi* revival, when these streets were thronged with a fanatical crowd of penitents in white robes, praying, singing, screaming"——

And—we will not longer imitate Mr. Merivale, who seemed to be entirely determined that his hearers should ask him no further questions respecting the history of Genoa.

Thus, however, the brother and sister began to become acquainted with the city, and, assisted by Merivale, to ransack its treasures and curiosities, and to view it in all its various aspects.

And with those walks and rambles began the real Halcyon days for all three of our young friends—the days when the rosy hours danced by, full of merry life, like plump, winged cupids. Rupert was fond of Merivale, liked to hear him talk, and to be in his company, and then this sight-seeing supplied him with just the occupation and employment requisite for his happiness; for Rupert's was one of those eager, impatient natures which rust and are injured, unless kept steadily at work, with a permanent goal in advance, and a daily duty of labor on the road leading to that goal. It is idleness, lack of purpose, sense of perversion, which gives their coltish habit to such persons, and causes them to kick, plunge, be fractious. Often, if not tamed in time, they take delight in their unruliness, and finally are transformed into dangerous, vicious, untamable "Cruisers," defiant of every effort to subdue them, or to reduce their powers into serviceable subordination. It was consistent with Helen's active life, her curiosity, her fondness for the sunshine, her appreciation of the rich, the old, the deep-toned, and the general depth, sincerity, and acuteness of her æsthetic sense, that she should enjoy this life and the scenes it introduced her to, and enjoy them she certainly did. In spite of her anxiety on account of her father, in spite of her awed feeling of some impending danger and calamity, she was aware that these were really Halcyon days, and she had so much of the old Greek's sensuousness and joy-worship in her composition, that she felt as if it would be sacrilege, almost, for her not to profit by them as much as she possibly could. There was so much to be seen that was rare and novel, glowing, and beautiful; so much to be felt; so many new images to take into her soul and hang fancies on; so many new sensations to be adopted and to become familiar with; such a wealth of new and glorious life to study and to participate in, that it would have been impossible for her to fail to find her share of the honey of this new Hymettus, to grow joyously drunken of it, and to hive it royally in the hives of her soul. And then, when had "ladye faire" such Cicerone as Merivale was? A man whose soul was instinct with the finest impulses; whose eye was trained to discover, whose mind was taught to appreciate, and whose tongue was skill to expatiate upon all forms and ideas of beauty they might chance to encounter. Halcyon days in very deed. And not less so to the Cicerone himself than to those upon whom he exercised his capacity. For Merivale, be it remembered, was in search of a certain picture, and every day of his life in Genoa confirmed him in his faith that the existence of such a picture was not only possible and probable, but also that he was in the fairest way to discover it, and make it his own forever. And Merivale was just the man most able to appreciate such a picture, and to set store by it as the rarest and most valuable of all treasures.

[TO BE CONTINUED.]

* Noticed by Dr. Carlyle, in his wonderful translation of *L'Inferno*, (vide Argument to Canto xxxiii—p. 346 of Harper's American edition.)

† *Vicione*, the viper—the armorial bearings of the Visconti.

No. V.

INKLINGS FROM THE FRONTIER;
OR,
Life and Observations among the Civilized Indians.

FORT WASHITA, C. N., *Feb.* 6, 1860.

To the Editor of the National Era:

Between thirty and forty years ago, a society was formed in the city of New York, under the title of "*The Society for the Emigration, Preservation, and Improvement of the Aborigines of America.*" I am unable to state the precise date of its formation and organization of this society, because I have no authority to which I can refer. The society, however, as I understand the matter, was organized for the purpose of relieving the American Government of the deep solicitude under which it was then laboring in relation to the treatment and disposal of the Indians who occupied positions in the settled portions of the United States, and immediately upon their borders. There can be no doubt but that those composing this society were philanthropic gentlemen, having the good of the red men at heart, and intent on doing them justice.

I believe that that society is still in existence, or at least one with similar aims in view. But, from several years experience among the Indians, and my own individual observations, I am compelled to say, on my own private responsibility, that the efforts of the society in question, and all others of a similar character, have been misdirected, and in a measure failed, or at least fell far short of accomplishing the task they assumed.

Those societies, aiming to do the Indians justice, and repair the great wrongs heretofore done them, have labored under great disadvantages, arising from a misconception of the Indian character. Erroneous impressions have been strengthened by writers of great respectability, who have undertaken to delineate Indian character without a full and thorough knowledge of the subject; by Government functionaries and agents, who had other objects in view than the real good of the much-abused Indians; by enthusiastic but probably ignorant and incompetent missionaries, who became discouraged, because they could not immediately convert their red brethren to the Christian religion; and by other unfavorable circumstances with which they found themselves surrounded, their labors have been circumscribed, and their plans defeated.

Dr. Robertson, author of an excellent history of America, always credited for great industry and sagacity in his historical researches, gives the following portrait of the Indians:

"What they suffer one year, does not augment their industry, or render them more provident to prevent similar distresses. Such is their aversion to labor, that neither the hope of future good, nor the apprehension of future evil, can surmount it. All the people of America, if we except some small tribes near the Straits of Magellan, whether natives of the torrid zone or inhabitants of its more temperate regions, or placed, by a harder fate, in the severe climates towards its northern or southern extremity, appear to be equally under the dominion of this appetite, (love of ardent spirits.)

"The rude Americans, fond of their own pursuits, and satisfied with their own lot, are equally unable to comprehend the intention or utility of the various accommodations which, in more polished society, are deemed essential to the comfort of life. This preference of their own manners is conspicuous on every occasion."

Indian agents, who suffered unprincipled traders to keep and traffic in ardent spirits among the Indians, who permitted all sorts of refugees, desperadoes, and adventurous off-scourings of society, to congregate and abide with them, and spread contamination by their vicious influence, have had the presumption to turn portrayers of Indian character, and report them a drunken, degraded, thievish, lazy, worthless race, incapable of civilization, and unworthy of the efforts of Government in their behalf.

Many of the missionaries who came among them to teach Christianity, finding their efforts met by such counteracting influences, have despaired of accomplishing their object, and joined in the general cry against the capacity of the Indians for civilization.

Says one of these missionaries, writing to his patron society: "The Indians are contented as they are; not contented merely, but clinging with a death-grasp to their own institutions. This feeling, inculcated in youth, strengthened in manhood, and nourished in age, renders them inaccessible to argument or remonstrance. To roam the forest at will, to pursue their game, to attack enemies, to spend the rest of their lives in listless indolence, to eat inordinately when they have food, to suffer patiently when they have none, and to be ready at all times to die; these are the principal occupations of an Indian. But little knowledge of human nature is necessary, to be sensible how unwilling a savage would be to exchange such a life for the stationary and laborious duties of civilized society; and all labor to induce them to do so, will be in vain."

Such has been the special pleading resorted to to quiet the conscience of the American people in relation to the wrongs done and being done to the original owners of the soil we have usurped.

How could societies, composed of men who were probably ignorant of the character or requirements of the Indians, relying on erroneous authority, and operating from the city of New York, be expected to prove successful in their efforts. They had undertaken a work which required wise heads and experienced hands to perform well; otherwise, it was done bunglingly. That the work, for the most part, of civilizing and Christianizing the American aborigines has been bunglingly done, can I think be clearly demonstrated to those who will visit the various tribes along our frontier.

Yet I do not wish to be understood as disparaging the labors of all missionaries who have labored among savages. Many of these faithful and self-denying servants of God have gratuitously devoted the whole labor of their lives to the laudable enterprise. They have suffered with the sufferers, and labored to alleviate their sufferings. In the words of one of their own number, they have heard fathers begging them to have mercy on them and their offsprings, and entreating them not to forsake them; they have seen the mother digging roots for her children, and have beheld the emaciated frames of those who, in winter, had lived weeks upon acorns only, or who in summer had fed for days upon boiled weeds alone. They have heard the cries of children suffering with hunger, and seen the frozen limbs of the half-naked sufferer.

Still, I think missionaries have been to blame for not doing more to excite public sympathy in behalf of the poor and suffering sheep of their flocks. They have seen wolves prowling in and around their folds, and never raised the alarm. Had they but studied the causes of the degradation, suffering, and wickedness, they could not have failed to see that a class of white men were always at their heels to undo whatever good work might be done, and to throw obstacles in the way of civilization, Christianization, or improvement. They might have planned a more effective policy for the action of Government, as well as for their patron benevolent societies, and, by energetic pleading in behalf of their cause, elicited the fullest sympathies of the people, and called forth the active co operation of Government. Had another and a wiser policy been adopted years ago, many tribes now roaming over the Western plains in a semi-barbaric state, and requiring the vigilance of an army to keep them in subjection, might have been settled in civilized communities.

No one who has ever travelled among the Indians, or who knows anything of their history, can doubt for a moment that the encroachments of traders, adventurers, and refugees—have been the ban of Indian civilization, the great barrier to their improvement. Human nature, under all circumstances, is naturally prone to partake of the evil in preference to the good, and especially is the pliant and untutored nature of those children of nature prone to partake of the vices of civilization rather than the virtues thereof. The famous Kit Carson, who has for several years been acting as Indian agent for tribes in New Mexico, understands this principle, and the evil effects that are brought to bear by indiscriminately permitting vicious, immoral, and mercenary persons to mingle among them. Hence, in a recent report of his, we find him saying: "The Mohuache Utahs are not Indians who are addicted to the use of ardent spirits. But I fear, if they are permitted to visit the settlements as they desire, or if traders are permitted to visit them, that in a few years they will become accustomed to the use of ardent spirits; and as Indians generally learn the vices and not the virtues of civilized men, they will become a degraded tribe, instead of being, as they are now, the most noble and virtuous tribe within our territory. Prostitution, drunkenness, and the vices generally, are unknown among them. Humanity, as well as our desire to benefit the Indian race, demands that they be removed as far as practicable from the settlements, and the contaminating influences of evil-disposed white men."

What a commentary on our boasted civilization! How sad it is to contemplate that there are those who have been nurtured in our midst who cannot be trusted, even among savages, less they contaminate them by their bad examples!

There is probably no man living who understands the Indian character better than Christopher Carson. He has spent his life among them — a life of observation. His first wife was an Indian; and many and oft is the time he has taken part in their grave deliberations around the council-fires.

Bad white men, prompted by sordid motives of selfish gain, or from the love of doing evil, have been at the work of corrupting the Indians since the earliest period of our contact with them up to the present day. Even now, the nations of this otherwise favored territory are infested by these nefarious pests of civilization. Even while I jot these inklings, a party of U. S. troops have been ordered out, upon a requisition of Governor Le Fleure, of the Choctaw Nation, for the purpose of driving a band of desperadoes into Texas.

Much as has been said and written is favor and in praise of the bold, daring, and hardy pioneers of the West, I must say that my frontier experience among a portion of those along the borders of Kansas, Missouri, Arkansas, and Texas, has not been such as to make a favorable impression, but rather to warrant me in pronouncing a great portion of them a lazy, worthless, gambling, fighting, whisky-drinking set of vagabonds; worse than savages, because they sin against light and knowledge.

Only a few days since, I was in conversation with one of this class. I soon learned that he loved to boast of his deeds of desperadoism, and asked him how many men he had killed. "Well, I dunno," he coolly replied; "I never kept an account of the Injuns and Mexicans I've killed; but, while I was at San Antonio, and round thar, I shot and knifed eleven white men; and when the furse broke out in Kansas, I went thar, and killed eight d—d aberlitionists." This man is but a representative man of his class. There are many more as deep-dyed villains as he still unhung, and prowling around among the civilized Indians.

Truly it must seem to you that the state of society that tolerates such characters must be deplorable. I mention the fact to show what disadvantages these people labor under, and have long been laboring under.

I do not wish to be understood as intimating that all the frontier settlers partake of this desperadoism. Far from it. There are many who have emigrated hither for the legitimate purpose of bettering their condition, and who are moral, religious, and highly respectable citizens. Every year, the moral principles gain ascendency, and the character of the community improves. A higher state of civilization is continually crowding the worst characters farther West.

GUY CARLEAF.

An editor in Maine has never been known to drink any water. He says he never heard water was used as a general remedy but once—in the time of Noah—when it killed more than it cured.

MR. SEWARD AS A SCHOOL-TEACHER.

The following is an advertisement which appeared on the 2d of March, 1819, in the *Journal*, published at Milledgeville, Georgia:

"*Union Academy.*—The friends of science are respectfully informed that a private academy has lately been established in the neighborhood of Major William Alexander, Mr. William Walker, and Col. William E. Adams, in Putnam county, on a site obtained from Francis Ward, Esq., not far from Garner's Ferry, and will go into operation on the 19th of April. The academy edifice, which will be ready for the reception of students by that day, will be spacious and commodious, adapted to the accommodation of eighty to one hundred scholars in two schools. The rector, Mr. William H. Seward, is late from Union College, New York, from which institution he comes, highly recommended as a young gentleman of *good moral character and distinguished industry and literary acquirements.* He will teach the Latin and Greek languages, theoretical and practical mathematics, logic, rhetoric, natural and moral philosophy, chemistry, geography, English grammar, and such other branches as are usually taught in Northern colleges. The common branches of education—spelling, reading, writing, &c.—will of course be taught in this institution. The price of instruction will be fifteen, twenty-two, or thirty dollars, according to the branches taught. Board may be had in respectable families, at a cost not exceeding one hundred and twenty-five dollars. From the respectability and acknowledged healthiness of the neighborhood, the cheapness of board and tuition, and the qualifications of the rector, the trustees feel warranted in recommending this infant establishment to the attention of the public. Persons disposed to send their children will enter them, without delay, with the treasurer, Major William Alexander, designating the studies they wish to pursue, in order that the requisite aid may be procured for Mr. Seward—it being understood, also, that if any students are excluded for want of room, they must be from the last entered. Communications directed through the medium of the Post Office, in Eatonton, to William H. Seward, Rector of Union Academy, or to William Turner, Secretary, or to William Alexander, Treasurer of the Board of Trustees of Union Academy, the postage being duly paid, will receive prompt attention.

"By order of the Trustees:

"WILLIAM TURNER, *Secretary.*"

TWICE ASKED.—In a brief comment, the other day, on the late action of the Kansas Legislature in abolishing Slavery, we remarked that popular sovereignty and the Dred Scott decision would be brought face to face, if Kansas persisted in her act. We declared ourselves on the side of popular sovereignty, and respectfully asked the *Chicago Times*, the most blatant of the Douglas journals, to define its position on the question involved. The *Times* is discreetly silent. We ask again: Will the *Times* sustain the Territorial Legislature of Kansas in its late exercise of the right to abolish and inhibit slavery within the limits of that Territory? Shall we have an answer?—*Chicago Press and Tribune.*

MICHIGAN DEMOCRATIC STATE CONVENTION. *Detroit, Feb.* 22.—The Michigan Democratic State Convention, for the election of delegates to the Charleston Convention, to-day selected George V. N. Lathrope, ex-Senator Stuart, George W. Peck, P. H. Reilly, delegates at large, and eight district delegates.

The resolutions adopted reaffirm the Cincinnati decisions of the Supreme Court, denounce John Brown's raid, and charge it on the Republicans, present Mr. Douglas as the choice of Michigan for the Presidency, denounce the present and past State Administrations.

The Convention was fully attended, and quite harmonious in its action. The delegates were elected by acclamation, and the resolutions unanimously adopted.

HOW COL. FREMONT WAS DEFEATED.—Mr. Megargee, of Philadelphia, testified before the Printing Investigating Committee of the Senate, on Saturday, that he received between four and five thousand dollars from Mr. Wendell in 1856, for the purpose of organizing a third party in Pennsylvania preceding the Gubernatorial and Presidential elections, which the Democracy regarded as imperatively necessary to secure the State for Mr. Buchanan. That money was applied to the object. This fact establishes that the public money derived from printing and other jobs and assessments in departments, was used to start the Fillmore movement on a pratical basis, which was afterwards rendered formidable by contributions from New York, through which the side-door operations were managed, and Mr. Fremont defeated. Movements are now on foot to repeat this game next fall, but with less prospect of success.—*N. Y. Tribune.*

Governor Chase tells the story that when Lieutenant Governor Newman, of Tennessee, was in Cincinnati with the Kentucky and Tennessee Legislatures, he was accompanied by his "body servant," a sprightly, saddle-colored "boy" of about thirty, who was conscious of his dignity. His master, who was in the habit of jesting with him familiarly, accosted him in the hall of the Neill House, just before the departure of the guests: "Why, Jack, havn't any of the abolitionists carried you off yet?" "Yah! yah! Mass' Newman, (quoth Jack,) when I seed you gwine down de street, arm in arm, with Gubner Dennison and Gubner Chase, I thought *you* were gone, sure—yah! yah!"—*St. Louis Democrat.*

FALLING IN LOVE WITH A PICTURE ON A BANK-NOTE.—An ardent young man in this city, who fell in love some time since with the portrait of a woman on a bank bill, wrote to the cashier of the bank to know whether it was a fanciful picture, or "the representation of a breathing woman." If the latter, he was resolved to have her, or die in the attempt. The cashier replied to him, after a few days delay, which he hoped had "not tended unduly to aggravate the fierceness of his disorder," thus:

"I am unable to give you the abundant consolation of a letter of introduction to the original of the portrait, if it had an original, which I am not disposed to question. My knowledge of her is quite scanty and unsatisfactory. The story told by our engravers is, that she was a teacher in the ——— school-house in New York, at the time of that cruel disaster, a few years ago, when, upon a false alarm of fire, the children rushed down the stairway, which gave way, causing the death of a

THIRTY-SIXTH CONGRESS, First Session.

Friday, February 24, 1860.

SENATE.

Messrs. Gwin and Haun presented resolutions of the Legislature of California in relation to various mail routes.

Petitions and memorials were presented and referred.

Mr. Johnson, of Tennessee, from the Committee on Public Lands, to which were referred the "bill to grant to every person who is the head of a family and a citizen of the United States a homestead of one hundred and sixty acres of land out of the public domain, upon condition of occupancy and cultivation of the same for the period herein specified," and the various memorials relating thereto, reported back the bill with amendments; and on his motion it was made the special order for Thursday next at two o'clock.

Other reports were made from standing committees.

Several bills were introduced, and, among the number,

By Mr. Fitzpatrick: A bill to provide for the transportation of the mails of the United States between the United States and the Republic of Mexico.

[This bill authorizes the Postmaster General to contract with Carlos Butterfield and his associates, after its passage, for the transportation of the United States mails in steamships between the United States and the Republic of Mexico for ten years after the commencement of the service, at an annual compensation of $200,000; the service to commence within twelve months after the passage of the law.

There are to be four round voyages, to be performed every month, from New Orleans or Mobile, beginning on the 1st and 16th of every month, via Galveston, Matagorda Bay, Brazos de Santiago, Tampico, Vera Cruz, Coatzacoalcos, Villa de la Frontera de Tobasco, Laguna, Campeche, Sisal, thence to New Orleans or Mobile; and that there shall be two round voyages, from New Orleans or Mobile, beginning the 8th and 24th of each month, to the places named, the contractor to select the port of departure from the United States.]

Mr. Wigfall introduced, on leave, a joint resolution to request the President to call out the regiment of Texas mounted volunteers authorized by the act approved April 7th, 1858.

Mr. Wigfall did not desire to have the resolution referred, but to have it passed at once. He drew a rather dark picture of the condition of that portion of the valley of the Rio Grande that had been made desolate by the acts of Cortinas and his band, and dwelt on the necessity that existed for prompt steps being taken by Government to suppress such outrages, or the people would have to leave the country.

Objection having been made to the passage of the resolution, on account of its interfering with the business pertaining to the morning hour—

On motion of Mr. Bayard, the bill to amend an act to establish a court for the investigation of claims against the United States, approved 24th February, 1852, was made the special order for Monday week at two o'clock.

Mr. Doolittle moved that the Senate proceed to consider the resolution submitted by Mr. Brown the 18th January, touching the rights of citizens of the several States to go into the Territories belonging to the United States with every species of property; which was agreed to, and

Mr. Doolittle addressed the Senate at great length on the subjects embraced by the resolutions, but mainly in reply to the remarks of Mr. Toombs on a prior day.

Mr. Toombs rose to reply, but the hour being late, and a disposition evinced to adjourn, Mr. T. moved that the Senate adjourn; which was agreed to, and the Senate adjourned to Monday.

HOUSE.

Sundry bills were introduced, read twice, and referred.

[illegible] moved that there be a call of the House.

Mr. Sherman hoped that motion would not be pressed, and that the committees might first be called for private bills.

Mr. Davidson insisted on his motion; which resulted by a yea and nay vote—yeas 93, nays 80.

The roll of the House was called, and it appeared that nearly all the absentees were [illegible] rule were dispensed with.

Mr. Stokes nominated for Printer, Hon. Levi M. Waterson, of Tennessee.

Mr. Tompkins nominated Edward Ball, of Ohio.

The House proceeded to the tenth vote for a Printer, with the following result:

Whole number of votes	191
Necessary for a choice	96
Mr. Glossbrenner had	92
Mr. Ball	81
Mr. Mitchell	15
Scattering	3

The eleventh vote resulted—

Whole number of votes	188
Necessary for a choice	95
Mr. Glossbrenner	89
Mr. Ball	78
Mr. Mitchell	17
Scattering	4

Mr. Bristow asked leave to offer the following resolution:

Resolved, that W. W. Seaton, of the firm of Gales & Seaton, be, and he is hereby, appointed Printer of the House of Representatives for the Thirty-sixth Congress.

Several gentlemen objected.

Mr. Stanton said it was a privileged resolution, necessary to the organization of the House, and he hoped it would be adopted.

The Speaker *pro tempore* (Mr. Bocock in the chair) decided that the resolution was not in order, the only business in order being a *viva voce* vote for Printer.

Mr. Bristow said it would be understood now that Mr. Seaton was regularly in nomination, and he hoped there was enough on both sides ready to vote for him to make an election.

Mr. Stokes withdrew the name of Mr. Waterson.

The House proceeded to the twelfth vote for Printer, with the following result:

Whole number of votes	185
Necessary for a choice	93
Mr. Glossbrenner had	75
Mr. Ball	75
Mr. Seaton	16
Mr. Mitchell	16

Messrs. Winton, Barksdale, and Hall, had each one vote. And there was no choice.

Mr. Craige moved that the House adjourn.

Mr. Case moved that when the House adjourn it be to meet on Monday; which was agreed to.

The motion to adjourn was disagreed to—yeas 68, nays 174.

On motion by Mr. Sherman, the election of Printer was postponed until Monday next.

The House resolved itself into Committee of the Whole on the state of the Union, (Mr. Washburne, of Illinois, in the chair.)

On motion by Mr. Sherman, the bills making appropriations for the invalid and other pensions of the United States for the year ending June 30, 1861, and making appropriations for the support of the Military Academy for the year ending June 30, 1861, were considered, and laid aside, to be reported favorably to the House.

The Committee resumed the consideration of the President's annual message, and was addressed by Mr. McPherson and Mr. Spaulding.

Mr. Reagan, of Texas, obtained the floor, when the Committee rose.

The pension bill and Military Academy bill were reported to the House, and the previous question ordered upon their passage.

At half past four o'clock, the House adjourned to Monday next.

Monday, February 27, 1860.

SENATE.

Mr. Davis presented resolutions of the Legislature of New Mexico, praying Congress to erect the Territorial Government of Arizona; which were read, and referred to the Committee on Territories.

Mr. Hale presented the memorial of F. B. Sanborn, remonstrating against the action of the Senate in ordering his arrest because he refused to obey the summons of the Harper's Ferry investigating committee, and praying the Senate to rescind that order as being improper and illegal. Mr. Hale said he cordially concurred with the prayer of the petition; but inasmuch as the Senate, in spite of all he could say, passed the vote by a pretty large majority, he would move that the petition lie on the table; which was agreed to.

On motion by Mr. Collamer, a resolution was adopted, directing the Committee on the Post Office and Post Roads, to inquire into the expediency of providing by law that any letter which shall have remained in the post office for thirty days undelivered, shall be returned to the writer thereof, who shall have endorsed his name and residence thereon. Mr. C. remarked that, under the present system of requiring all letters to be prepaid, there was no pecuniary inducement for the Government to deliver letters at all; and it was no more than just to require of the Government what would be required of a private carrier, that when he failed to deliver a package intrusted to his care, he should return it. It would cost no more to carry these letters back to their writers than to take them to the dead letter office.

On motion by Mr. Hammond, a resolution was adopted, that when the Senate adjourns to-morrow, it be to meet on Thursday next.

On motion by Mr. Chandler, the bill making an appropriation to deepen the channel over the St. Clair flats was made the special order for next Thursday.

On motion by Mr. Rice, a resolution was adopted, instructing the Committee on the Post Office and Post Roads to inquire into the expediency of a revision of the postal laws, and to report by bill or otherwise.

On motion by Mr. Hammond, the joint resolution from the House of Representatives appropriating $10,000 to defray the expenses of inaugurating the equestrian statue of General Washington, on the 22d inst., was taken up and passed—yeas 38, nays 13.

Mr. Clark made a speech on the subject of slavery, attributing all the agitation on that subject to the Democratic party.

The Senate resumed the consideration of the resolution of Mr. Brown in regard to territorial rights; and Mr. Toombs replied to the speech of Mr. Doolittle, delivered on Friday last.

Mr. Wade obtained the floor, and the further consideration of the subject was postponed until Wednesday of next week, at half past one o'clock.

On motion by Mr. Mason, the Senate then proceeded to the consideration of Executive business, and after some time spent therein, adjourned.

HOUSE.

The bill providing for the payment of invalid and other pensions was passed; also, the bill for the support of the Military Academy.

Mr. Conklin asked, but failed to obtain, consent to offer a resolution instructing the Committee on the Judiciary to inquire whether any, and if so, what legislation is necessary to secure the liberty of speech or person in the District of Columbia; and whether, and if so, what practical legislation is necessary to secure the rights of free persons in said District.

Mr. Gurley, from the Committee on Printing, reported a resolution proposing to print twenty-five thousand extra copies of the annual message of the President of the United States, with the reports proper of the heads of the Departments connected therewith, omitting the statistical portion; and that five thousand copies of said message and reports, complete, be printed.

There was quite a lively time for a few minutes. Mr. Adrain desired to make a personal explanation, with a view of refuting certain imputations contained in Mr. Carter's resolutions of Friday last, in relation to alleged discourteous treatment of the New York seventh regiment by the President, Heads of Departments, and the committee of arrangements.

Mr. John Cochrane caused to be read an article from the New York *Tribune* about that regiment, saying they were shabbily treated, and were the victims of false pretences. Mr. Cochrane was therein spoken of as the chairman of the committee, which he said was untrue.

Messrs. Lovejoy and Farnsworth objected to those gentlemen making personal explanations.

The House proceeded to vote for Printer.

FIRST BALLOT.

Whole number of votes	197
Necessary to a choice	99
Glossbrenner	81
Ball	31
Ford	65
Seaton	14
Defrees	1
Coombs	1
Holloway	1
Winton	2

SECOND BALLOT.

Whole number of votes	197
Necessary to a choice	99
Glossbrenner	81
Ball	8
Ford	91
Seaton	14
Coombs	1
Holloway	1
Winton	1

THIRD BALLOT.

Whole number of votes	189
Necessary to a choice	95
Glossbrenner	74
Ball	7
Ford	88
Seaton	17
Coombs	1
Holloway	1
Winton	1

A motion was made to postpone the further consideration of the subject.

Mr. Farnsworth moved to postpone the subject till the first Monday in June, but this was disagreed to—yeas 74, nays 108.

The House again voted, the result being as follows:

Whole number of votes	185
Necessary to a choice	93
Ford	93
Glossbrenner	71
Seaton	18
Ball	2
Wilson	1

Mr. Ford, of Ohio, was therefore elected Printer for the present Congress.

Mr. Blake announced the death of Mr. Cyrus Shink, of the fourteenth Congressional district of Ohio, and after the adoption of the customary resolutions, the House adjourned.

THE EDMUNDSON AND HICKMAN DIFFICULTY.

Letter from the Vice President.

WASHINGTON CITY, *Feb.* 21, 1860.

To the Editors of the Constitution:

GENTLEMEN: In connection with the recent difficulty between Mr. Edmundson, of Virginia, and Mr. Hickman, of Pennsylvania, some extraordinary misstatements have appeared in the public papers. The New York *Tribune* and other presses have deliberately charged that I, in connection with other gentlemen, was present on that occasion to assist Mr. Edmundson in an assault on Mr. Hickman, and that, being armed, we stood ready to assassinate the latter gentleman, in case he should make the least resistance.

I have been very much surprised at these accusations, but have waited a reasonable time, in the hope that Mr. Hickman would feel bound to correct them. He has not done so; and, since they are so persistently repeated, I think it proper to make the following statement:

I happened to witness the difficulty between those gentlemen. It was not a fight; it was only a scene. They were walking together towards the gate of the Capitol ground that leads into the avenue. I was some distance behind them, and unaccompanied, except by my little son. Suddenly they stood apart, and Mr. Edmundson raised his right hand as if to strike, when his arm was instantly seized by some one, (Mr. Keitt, I think,) who drew him away. At that moment, he made a motion with his left hand towards Mr. Hickman, whose hat fell off. I am unable to say whether Mr. Hickman touched it, or the fall was caused by an involuntary movement of Mr. Hickman's head. I approached as rapidly as possible, and Mr. Hickman seemed discouraged and agitated, but I saw no evidence of fear. He had not attempted to strike Mr. Edmundson, and, of course, after the interposition of bystanders, no conflict would have been allowed. After a pause of a few moments, I took Mr. Hickman's arm, and suggested that we should walk on; to which he assented, and we walked together to the gate.

The only proof of a purpose to assassinate, that came under my notice, was the interference of Mr. Keitt and others to preserve the peace, and which was happily so prompt and effectual as to prevent even a collision.

For myself, the charge that I was armed, for any purpose, is, like the rest, wholly unfounded and false. For reasons entirely satisfactory to myself, I never have, in civil life, carried a weapon of any kind on my person. The sum of it is, that I performed a kind and good-natured act, and have been extensively abused for it.

Very respectfully,

JOHN C. BRECKINRIDGE.

TO ADVERTISERS.—Business men will find it greatly to their advantage to advertise in the *Era*.

Messrs. Pettingill & Co., S. B. Niles, and Joy, Coe, & Co., are our authorized advertising agents for Boston, New York, and Philadelphia.

WASHINGTON, D. C.

THURSDAY, MARCH 1, 1860.

THE PRINTER.

Mr. Ruffin announced to the House, on Tuesday, that his vote was not recorded on the vote for House Printer on Monday, and demanded a correction of the journals. The correction of this clerical error would defeat Mr. Ford, who only had one majority.

CONGRESS—TUESDAY.

In the Senate, after the morning business, which was of no general interest, the body went into Executive session. After rising, the death of Mr. Spink, a member of the House from Ohio, who died at home last summer, was announced, and the Senate adjourned.

In the House, Mr. Sherman, from the Committee of Ways and Means, reported a bill for the printing of the President's message and reports of the Departments in time to be distributed to Congress at the commencement of each session. Referred to Printing Committee.

Also, a bill amendatory of the act regulating the compensation and mileage of Senators, Representatives, and Delegates to Congress. The proposition of the committee is, to allow to each Senator, Representative, and Delegate to Congress, at the commencement and end of every regular session, twenty cents for every mile of distance between his home and the national capital.

Mr. Sherman stated that, by the adoption of this bill, a saving to the Government of some $20,000 would be effected.

Mr. Florence moved to lay the whole subject on the table. Not agreed to—yeas 24, nays 149.

Mr. Washburne, of Illinois, moved to commit the bill to the Committee of the Whole. Not agreed to—yeas 77, nays 107.

The bill was ordered to be engrossed by yeas 126, to nays 52.

The opponents of the bill offered a strong resistance to it on its final passage, by making motions to adjourn and other dilatory proceedings. At the time our reporter left, the House was still in session, and it was probable that the opponents of the bill would stave off a vote, which was regarded as equivalent to its defeat. The members who reside at the greatest distance from Washington seemed most violent in opposition to the bill.

THE "CONSTITUTIONAL UNION PARTY."

This new organization has issued an address to the people of the United States, in which they lay down their platform and their programme of operations. The address is signed by the Hons. John J. Crittenden of Kentucky, William C. Rives of Virginia, Washington Hunt of New York, William A. Graham and John A. Gilmer of North Carolina, Jerry Clemens and Parson Brownlow of Tennessee, Mr. Briggs of New York, and others, North and South.

Their leading principles are, to enforce the fugitive slave law, and refer all questions regarding slavery to the "unbiased action of the judiciary." This may be regarded as an explicit endorsement of the Dred Scott decision, and an abandonment of the old Henry Clay Wilmot doctrine, which asserted the right of Congress to legislate slavery out of the Territories, but in fact they are but the auxiliaries of the Sham Democracy, as well in the creed they announce as in the political action they propose. With them, Conservatism demands acquiescence in every enormity which the Democratic party has perpetrated during the last ten years; while their organization into a political party will only throw away, in the border free States, a few thousand "Conservative" votes, which would otherwise be cast for the Republican candidates, and thus aid the "Democratic" party.

We cannot suspect the honorable men engaged in this forlorn enterprise of intending to help the Sham Democracy, but that such will be its effect is well understood by the leaders of that corrupt party. So sensible were they of the services of this third party in 1856, that they did not hesitate to bribe the leaders of it in Pennsylvania to keep up the organization of the third party ticket, in order to distract and divide the opposition.

Another principle announced by the Union party address is that of protection to home industry. This is a very acceptable plank to a large portion of the Northern people, but, as a rallying cry of the third party, it will only serve to promote the success of the Slave Democracy, with their ultra free-trade policy.

INAUGURATION OF THE STATUE OF WASHINGTON.

The ceremonies of the inauguration were postponed on account of the rain to a late period of the day. The procession, composed of the military and civic companies, formed and started from the City Hall about half past three o'clock. The Seventh Regiment of New York volunteers, was the most conspicuous and interesting feature of the procession. It is to be regretted that no adequate preparations were made for their reception, and that the Regiment had reason to be much dissatisfied with the inhospitable treatment it met with. None of the diplomatic corps were present, on account of having been assigned a position behind the Supreme Court. This point of etiquette has heretofore been raised, but has not been decided.

The procession having reached the Circle, the military wheeled to the right of the enclosure, while the prominent civilians entered it and took seats on the platform.

The Cabinet officers, with the exception of Secretary Floyd, sat together. The President, Vice President, and Clark Mills, the artist, were in proximity to each other, and the orator of the day was, of course, conspicuous.

The platform was tastefully decorated with the flags of England, France, Russia, Prussia, Austria, Brazil, Peru, Chili, the Netherlands, Ecuador, Denmark, Portugal, Sardinia, Central America, Naples, Spain, Mexico, Buenos Ayres, Paraguay, and Rome. Our own flag waved above, and the desk was profusely decorated with the stripes and stars.

It was nearly five o'clock before the ceremonies commenced.

Rev. Dr. Nadal, of the Methodist Episcopal Church, opened the exercises with an appropriate prayer.

After the prayer, the ceremony was proceeded with under Masonic rites.

Senator Hammond then introduced the orator of the day, Mr. Thomas S. Bocock, who delivered an impressive address, for which we have no room.

The oration was followed by Masonic ceremonies. The President then came forward and made some appropriate remarks, after which the statue was unveiled amid the acclamations of the multitude. The crowd present was the largest which has been seen in Washington for many years, and numbered eight or ten thousand.

SLAVERY IN NEW MEXICO.

On Friday, the 17th inst., Mr. Bingham, of Ohio, introduced a bill in the House of Representatives to disapprove and declare null and void all Territorial acts and parts of acts heretofore passed by the Legislative Assembly of New Mexico, which establish, protect, or legalize slavery. It was read a first time. Mr. Buchanan pretends to stand on the platform of non-intervention; but it is well known that the miserable inhabitants of New Mexico were stimulated by him and his officials to adopt a slave code, although there are probably not a hundred slaves in the Territory. On the other hand, his Territorial Governors in Kansas and Nebraska have vetoed the Territorial legislative acts prohibiting slavery, although, in the latter case, the majority in both branches were members of his own party. This is what the Democratic party meant when it promised the people, in the Cincinnati platform, that the Territories would be left perfectly free to form and regulate their own institutions in their own way.

The bill of Mr. Bingham will not be allowed to pass the Senate, if it ever reaches that body, and would be promptly vetoed by the President if both houses should concur in its passage. But the day will come when New Mexico will be delivered from the rule of pro-slavery officials, and her people will then repeal the slave code, if Congress fails to annul it. In the mean time, there is little danger that slavery will take deep root in its arid soil.

ONE OF THE DEMOCRATIC CANDIDATES FOR SPEAKER.

Mr. Smith, of North Carolina, it will be remembered, received the almost unanimous vote of the Sham Democracy for the office of Speaker, in spite of the fact that he was nominated and elected to Congress by the American party. The Northern "Democrats" endeavored to gloss over their affiliation with Know Nothingism, by declaring that Mr. Smith was simply an Old Line Whig of the Henry Clay school, and that he denounced and repudiated Americanism in all its forms. We confess that we felt great surprise at witnessing the silent acquiescence of Mr. Smith in these definitions of his position; as we regarded it as incredible that the American party would nominate and elect a man to Congress who denounced and repudiated their views. But it seems that Mr. Smith failed to hear the reasons assigned by the Northern Democracy for changing their votes and going over to his support, which must doubtless be attributed to deafness on his part, as they spoke with unusual emphasis and were listened to with breathless interest by the House and by the spectators in the galleries. He now finds that his repugnance to Americanism has been greatly overstated; he admits that he was elected to Congress by that party; that he sympathizes with it in many of its principles; and that he only rejects its more ultra and proscriptive principles. Like John Bell, and many other leaders of the American party, Mr. Smith has never belonged to the secret Know Nothing order; but he is, after all, a good enough "American" for the "Americans," and at the same time received the support of nearly every "Democrat" in the House of Representatives including Messrs. Cox of Ohio, Morris and McClernand of Illinois, Montgomery of Pennsylvania, and English of Indiana. The devotion of these men to the rights of foreigners and Catholics is thus shown to be subordinate to their allegiance to slavery. The Southern members would as soon think of sticking their heads in the fire, as of voting for Mr. [illegible] partly by the aid of Republicans. But the blatant champions of foreigners and Catholics are made to surrender the rights of those classes, in order to serve the interests of slavery. Mr. Smith on Tuesday of last week said:

"The statement made on the floor by the honorable member himself, while not professing to give the details of what passed, is substantially correct as to its result, inasmuch as I made known to him the grounds I had taken in my canvass in 1857, and there was nothing whatever proscriptive in them. It is true that, when interrogated, I said to him that I had never been a member of the American organization; but had been, and still was, a Whig, and, as such, had been elected upon broad, conservative, national grounds. But I did not say, nor mean to be understood as saying, that I had denounced the American party, or repudiated its principles. So far as its views were proscriptive, they did not meet my approval.

"Among those who have been in connection with that organization, I recognise true and patriotic, men, to whose hearty and earnest co-operation with other friends I owe the honor of having a seat upon this floor. I said to my friend, I could not be placed in antagonism to these gentlemen.

"It will be seen that I am represented as saying that I have always been, and am still, a Whig; that I have never been a member of the American organization; and that I did not concur in or sympathize with any proscriptive features of its party creed.

"This is strictly correct. Some of the measures of the American party, as I freely stated to my friend, did command my approval; but there was nothing proscriptive in them. I could not commit the wrong of denouncing men to whose patriotic and earnest efforts I owed, in no inconsiderable degree, the honor of being a member of this body. I regretted very much the harsh language which was used by some on that occasion, when speaking of the American party. I attributed it mostly to the peculiar circumstances in which gentlemen were placed, and as a necessary self-protection against unfounded charges at home. Still, it was painful to listen to language which fell so harshly upon the ears, not only of my friends at home, but of that portion of this House constituting the Southern Opposition, who so manfully, in spite of it all, stood by me to the end."

It is to be regretted that Mr. Smith was not more explicit in stating his views than he thought proper to be in the remarks from which we quote above. He declares that he did not denounce or "repudiate the views" of the American party. Not to repudiate is to sanction; and that we are authorized to make this inference is proven by the very next sentence, in which he says that, "So far as its views were proscriptive, they did not meet my approval." The logical purport of this phrase is, that he disapproved the "American" or Know Nothing creed *only* so far as it is proscriptive, and that he endorses it in other respects.

Now, who can doubt, from reading the above extract, that Mr. Smith is as decided in his Americanism as John Bell, or John J. Crittenden, or any of the more discreet and moderate leaders of the party? What Mr. Smith regards as proscriptive we have no means of knowing; but we will venture to say that every sensible man of the American party would make a similar reservation in stating his views. We are quite certain that the distinguished men above named, together with Messrs. Fillmore, Botts, and Nelson, would make a similar disavowal of a narrow and proscriptive policy. In this [illegible] from which we quote above, Mr. very spe[illegible] tribute to Mr. Fillmore, Smith pays a glowing [illegible] didate for the who was the Know-Nothing can[illegible] Presidency in 1856; and it is equally noteworthy that Mr. Fillmore had no warmer friend and supporter among the followers of the Dark Lantern than the member from North Carolina. These facts were well known to the Democratic party. They were as intimately known to the Democratic delegation from North Carolina as the circumstances of their own can[illegible] and it would be equally vain for the Virginia delegation to plead ignorance of them. The proof is therefore conclusive that the democracy have deliberately amalgamated with the Know-Nothing party, in order to secure the election of a pro-slavery Speaker.

DIRECT TAXATION—ANOTHER DEMOCRATIC CANDIDATE.

We have elsewhere exposed the hypocrisy and treachery of the "Democratic" party in Congress as it regards foreigners and Catholics. We now show up their devotion to the material interests of Pennsylvania in particular, and to the manufacturing classes in general. It will be remembered that the "National Democracy," North and South, without an exception, gave their cordial support to Mr. Hamilton, of Texas, for the office of Speaker. The members of the party from Pennsylvania cordially co-operated with South Carolina in the effort to place in the Speaker's chair a man who takes the lead in moving to abolish the custom-houses, in order that English iron may be imported into the Union free of duty.

On Friday, the 17th inst., Mr. Hamilton, of Texas, introduced the following resolution:

"*Resolved*, That the Committee of Ways and Means be instructed to inquire into the expediency of repealing the existing revenue laws, and of providing for the support of the Government by direct taxation; and that they report by bill or otherwise."

At the suggestion of Mr. Grow, this resolution was referred to the Committee of Ways and Means. We call attention to it, in order to show that the Northern Democracy always stand ready to sacrifice the interests of their constituents, if the interests of slavery demand the sacrifice. Mr. Hamilton is a Douglas Democrat, and was cordially supported by the whole party. If he had been elected Speaker, he would doubtless have constituted the Committee of Ways and Means on the absolute free-trade basis, with probably Mr. Boyce, of South Carolina, at its head. Mr. Boyce had a similar proposition to that moved by Mr. Hamilton before Congress some two years ago, and made an elaborate and learned speech in favor of abolishing all custom-house dues, and resorting to direct taxation for revenue purposes. Mr. Boyce therefore would have been the most suitable man in the House to carry out the policy of Mr. Hamilton; and Pennsylvania has been saved from the sacrifice to which her Democratic Representatives would have devoted her, simply by the tenacity with which the Republican party persevered in thwarting their efforts.

There are doubtless large numbers of men in the free States who hold to the justice and propriety of that degree of free trade which is compatible with raising the revenue from customs; but there are none who would not freely accord to the rising manufactures of the country the incidental protection which results from a revenue tariff, discriminating in favor rather than against home producers. But this candidate of the Democracy for the office of Speaker, who was only defeated by a vote or two, would sweep away every vestige of the tariff. He would abolish the custom-houses altogether, and resort to direct taxes! He would first ruin every branch of American industry which owes its existence to the incidental protection afforded by the collection of revenue from foreign imports, and then tax the people directly to the extent of seventy millions per annum for the support of Government.

Thus, the Catholics, the foreigners, and the manufacturers, are with equal indifference sacrificed on the altar of slavery. Their faithful representatives will [illegible] They will in vain [illegible] and proscriptive features of the Know Nothing creed. Equally in vain will they protest that they were not aware that Mr. Hamilton is a champion of free trade and direct taxes. They never make the mistake of voting for a man hostile to slavery; and if they had been half as careful of the interests of their own constituents as they invariably are of slavery, they never would have voted for Mr. Smith or Mr. Hamilton.

RECIPROCITY TRADE WITH CUBA PROPOSED—THE SLAVE TRADE.

On Friday, the 17th instant, Mr. Maynard, of Tennessee, presented the following resolution to the House of Representatives, which was referred to the Committee on Foreign Affairs:

"Whereas the geographical position of the Island of Cuba to the United States, through a community of commercial interests, renders eminently desirable a free and unrestrained personal and commercial intercourse between them: Therefore,

"*Resolved*, That the Committee on Foreign Affairs be, and they are hereby, directed to inquire into the expediency and practicability of a convention between the Government of the United States and the Court of Madrid, with a view of facilitating the commerce between the United States and the Island of Cuba by reciprocal importation and exportation of the agricultural products and manufactures of the two countries, free of either import or export duties, *and the unrestricted interpassage from one country to the other of all persons whomsoever*; and whether any action of Congress in the premises is necessary or proper, with leave to report by bill or otherwise."

Unrestricted commerce between the United States and Cuba, in the products and manufactures of the two countries, would be eminently advantageous to both of them; but its effect would be, in a great measure, to deprive Spain of that monopoly in the trade of the Island which gives to the colony all its value. Almost everybody in this country would, we presume, rejoice at the negotiation of such a treaty, but we confess that we see not the remotest probability of its being conceded by Spain. We know of but one class in this country which would be injuriously affected by reciprocity with Cuba, and that is the sugar interest. They might with some reason expect serious damage from such a source, inasmuch as they have been brought into existence and saved from destruction by protection against Cuban competition.

With this exception, probably every other class of producers and manufacturers would desire the establishment of a reciprocity in trade with a country which wants whatever we produce, and produces what we want.

But there is one species of reciprocity of trade, which is evidently contemplated by the resolution, which would prove more advantageous to the parties engaged in it than honorable to the country. It is very evident that Mr. Maynard, though a Massachusetts man by birth, and an "American" in politics, contemplates a brisk trade in slaves, as well as in other tropical products. We have italicised the words of the resolution which betray the cloven foot. After providing for the reciprocal importation and exportation of the products of agriculture and manufactures of the two countries, it is added, "*and the unrestricted interpassage from one country to the other of all persons whomsoever*."

This phraseology is evidently intended to include slaves; otherwise, it would have been proposed to restrict the privilege to free white persons. The [illegible] which the South enter[illegible] persons. [illegible] would have prompted [illegible] hope of smuggling in slaves. [illegible] well knows that slaves are fifty per [illegible] cheaper in Cuba than in the United States, in consequence of the inexhaustible [illegible] which is afforded to that Island by the African slave trade. To admit slaves into this country from Cuba, would therefore be equivalent to the repeal of the laws which prohibit the African slave trade.

This sneaking effort to legalize the nefarious traffic will of course fall to the ground, but it nevertheless deserves exposure. We observe that the resolution has met with the unqualified endorsement of a highly-respectable Republican journal, which doubtless overlooked this sinister feature.

Mr. Maynard is a "Northern man with Southern principles," and in these times of excitement, Southern prejudices are so violent and unreasoning, that it becomes necessary for Northern men residing in the slave States to steep themselves in ultraism, as a safeguard against suspicion.

We regard this proposition of Mr. Maynard, to open our Southern ports to the introduction of slaves from Cuba, as the most adroit move that has yet been made in that direction. If anything could induce Spain to grant reciprocity of legitimate commerce, it would be this scheme for reviving the slave trade through Cuba. The price of slaves in that Island would at once rise fifty per cent., and the traffic with Africa would receive a new impulse. The Spanish officials are known to derive a large revenue from conniving at the slave trade; and the Queen, even, is said to participate in its profits. Whatever increases this detestable commerce, therefore, must find favor with a corrupt despotism like that of Spain.

MR. PRYOR ON EMANCIPATION.

Mr. Pryor, of Virginia, in eulogizing his deceased predecessor, Mr. Goode, took occasion to dwell, with peculiar emphasis and pleasure, upon the opposition which that gentleman made, in 1832, to the emancipation movement. Mr. Pryor has within the last two years so completely changed his views upon the subject of slavery, that we are tempted to place on record what he says now in regard to emancipation, as a landmark with which to compare his progress during the next few years. From a most violent fire-eater and champion of the slave trade and disunion, he has become, within two short years, a Douglas Democrat, a Union man, and has demonstrated the wickedness and folly of the slave trade. Who knows but that, in two or three years more, Mr. Pryor may go further, and see the necessity and advantage of getting rid of slavery? He says:

"In 1832, Mr. Goode was again returned to the General Assembly. During the session of that year occurred the memorable debate on the abolition of slavery in Virginia. From the impulse of an inconsiderate excitement, various schemes of emancipation were proposed to the Legislature, and were sustained by the foremost men in the State. Mr. Goode, on the contrary, was not at all affected by the frenzy of the moment. Then he displayed the highest and the rarest quality of the statesman, in rising above the stormy atmosphere of popular clamor, into the serene regions of unimpassioned reflection. If not alone, certainly with incomparable spirit, he opposed himself to the current of public opinion. The enterprise was hazardous, the victory complete. There was a momentary pause in the swell of anti-slavery agitation, and then the reaction set in with a violence proportionate to the previous rush in the opposite direction. Mr. Goode moved to discharge the committee from further consideration of the subject, and carried his point in a speech of remarkable power. Afterwards, by common consent, the extravagances of a popular panic were covered with the veil of oblivion. But the effect of that interesting episode in the history of Virginia was not so evanescent and inconsequential. For the first time, citizens of a slaveholding community were driven, by the apparent insecurity of the system, to examine its foundations, and, with a result for [illegible] were prepared. In [illegible] and demonstrated that [illegible] being an [illegible] edy, is an institution which exists in virtue of the most essential human interests, and the highest enactions of the moral law. From that day, the slaveholder stood on surer and more solid ground; from that day, his conscience being clear and his judgment convinced, he renounced the expedients of apology and extenuation, and planted himself on the impregnable basis of reason and right. When we contemplate the inevitable alternative of this result, and consider the consequences of the abolition of slavery in Virginia twenty-five years ago, we may approximate a just estimate of Mr. Goode's exertions in the great debate of 1832, whether as they affect the peculiar interests of the South, or the larger destinies of the Republic. Soldiers have been immortalized by a decisive charge in the crisis of battle, but rarely indeed has a statesman the felicity of determining the issue of those civic struggles on which is suspended the history of Governments and nations."

The "serene regions" to which Mr. Goode rose, on the occasion referred to, was the popular level. He clung to the strong side, and joined the ignorant masses of the slaveholders in putting down the enlightened few who proposed to take steps for emancipation. We submit, without wishing to disparage the character of Mr. Goode, that he displayed no more heroism or statesmanship in opposing emancipation than any politician does who swims with the popular current. Emancipation was the glorious aspiration of the most enlightened and best men in Virginia. Adherence to slavery was the dictate of ignorance and selfishness in the great mass of the people.

As Mr. Pryor has shown himself capable of progress, we cannot doubt that a very few years will convince him that emancipation is the true policy of Virginia. Governor Wise well knows it, as his famous letter to South-side Adams and his speeches in 1855 demonstrate; but his eagerness for office constrains him to postpone the public welfare to his own.

Mr. Pryor is young, and cannot arrive at his meridian before the progress of events will expose the shallow philosophy which now reconciles him to slavery.

Nothing is more certainly indicated in the future, than that Virginia must become a free State, even in spite of herself. The demand for slave labor in the cotton region, and the hosts of immigrants who are destined to pour into the State from the North and from Europe, must inevitably crowd out slavery. Every effort made by the people and by the State to become independent of the North, by the establishment of manufactures, trade, and commerce, is a powerful stimulant of free labor, and a discouragement of slavery. To be consistent, the advocates of slavery in Virginia should cease to urge such improvements; they should insist on abandoning those now in existence; and still they would not be secure of retaining slavery without a revival of the African slave trade.

"THE DIVINITY OF SLAVERY."

A Georgia paper, called the *Democratic Platform*, has an article with the above heading, in which the writer contends that revelation and necessity alike demonstrate the "divinity" of the peculiar institution. The following specimen of the writer's argument is not very flattering to the new divinity, though we have no disposition to question its appropriateness:

"Within our recollection, the good and pious have deplored its existence, brooded over the enslavement of the African, and, like the ill-omened bird, boded evil to our country on account of its existence. That a people who had crushed the British lion, and from the new world had sent the shouts of freedom booming across the ocean's roar, to the oppressed of the old, should wish that all mankind could be free, cannot be wondered at; like a nation redeemed from sin desiring the marvellous light of the Gospel to blaze in every land, they desired the spirit of liberty, like the angels of God, to encamp on every soil. But time and revelation have proven that all will not be saved, and that all cannot nor will not be free. Why, then, does not the North, with Henry Ward Beecher at its head, in their attempts to eradicate slavery, essay to revolutionize hell? the one exists by the permission of Heaven, the other is peopled contrary to the wishes of the great and good."

It is quite evident that the *Democratic Platform* sees a strong resemblance between slavery and the other "peculiar institution" to which he refers. We are not disposed to take issue with the editor on that point.

ANNEXATION TO FRANCE.—The latest accounts from France render it highly probable that Savoy and Nice, provinces of Sardinia, which lie west of the Alps, and contiguous to France, and whose people speak the French language, will shortly be annexed to the Empire of Napoleon. If, as is alleged, the people of these provinces desire to change their rulers, we see no reason why they should not have the same right to do so which is to be accorded to the Italians of the Peninsula. The latter are anxious for annexation to Sardinia; and while the Government of that country holds out to them the right hand of fellowship, and is even willing to incur the perils of war in order to consummate the union, it cannot with any consistency refuse to its own French subjects the like privilege of annexation to France. But if the people of Savoy and Nice prefer remaining subject to Sardinia, the attempt of Napoleon to detach them, and force them under his Government, will expose the utter hypocrisy of his pretended sympathy for the Italians in their struggles for freedom and nationality against the Emperor of Austria.

Savoy and Nice belong geographically to France, and the fact that their people speak the French language renders it highly probable that they would prefer annexation to the Empire. Their population is about six hundred thousand. The Italian provinces which have been or are now in the act of being annexed to Sardinia, contain several millions of inhabitants, and a highly fertile soil. So Sardinia will, in any event, gain greatly more than she will lose by the proposed changes.

Since writing the above we have seen the earnest appeal of the people of Savoy to the Government of England, asking its interposition to save them from forcible annexation to France. It seems that an immense meeting of the people took place at one of the principal cities on the 29th of January, in which a strong protest was made against annexation. The French journals attempt to conceal this repugnance of the Savoyards to incorporation with France, and puff into importance the action of a few individuals, who perhaps are prompted by French gold to petition the Emperor in favor of annexation. The people of

SYNOPSIS OF THE SPEECH OF HON. HENRY WINTER DAVIS.

House of Representatives, February 21, 1860.

Mr. DAVIS, of Maryland, next addressed the Committee.

The Legislature of Maryland, he said, had decorated him with its censure, and it was his purpose to acknowledge that compliment. It was long since the party which now controlled and gave character to that Legislature had before been so fortunate as to have a majority in both branches, and it had now so conducted itself that it would probably be long ere it would be so fortunate again. The gentlemen composing that party seemed to be more surprised at their present power than their opponents, and reminded him of the story of the bewildered individual, who, upon awaking, and finding himself surrounded with the appliances of luxury, imagined himself a lord. Sudden elevation had never changed the character of the individual, accidentally raised to a position for which he was never intended, and those who imagined it ever would might find themselves undeceived by looking at the Maryland Legislature. Within the brief period of their power, they had applied their fingers to every department of legislation, and, though perhaps deficient in common sense, they had shown an extraordinary apititude in teaching everything to the world. Inexperienced in the ordinary affairs of legislation, it was not strange that they should have appointed an attorney to keep them from perpetrating endless follies. Adverse to open debate and the public consideration of measures, and not elevated by the great memories around them, they turned legislation into a caucus, of whose decrees the Legislature was only the recording clerk. Debate was silenced, consideration banished, the whisper in the ear from a Baltimore attorney, a suggestion from a partisan out of doors, and the sacred rights of men of every class and grade were sacrificed to a whisper, the treason of which nobody outside of that party could hear. Every responsibility surrounding legislation was gone, and the result had been a series of legislative measures, which would awake the people of Maryland to a sense of the calamity of giving over their legislation to such a party.

In the first week of their session, this honorable body passed, without reading it, an act disposing of the rights and adjusting the property of every citizen of Maryland, and the residue of the brief period assigned them by the Constitution had been pretty much occupied in reviewing this first blunder. Anxious to overrule popular will, and touch the fruits of political success where that success was not likely to accompany them, they had been anxious to empty some offices which in Baltimore were filled by the popular vote. On a contest of members, they allowed evidence taken behind the backs of parties interested to be used against them, being perhaps conscious that a willing witness cannot be safely resworn after a lapse of time. They had men among them exceedingly anxious to follow the deplorable example set by one or two Southern States; and a bill, shocking to the sense of every gentleman in Maryland, was introduced, reducing to slavery the men their fathers freed, and confiscating their miserable earnings; and he rather thought that nothing but the unanimous shriek of indignation that rang from one side of Maryland to the other, prevented the final passage of that disgraceful measure.

This honorable body had in it diligent but not successful students of the debates in Congress. They were smitten with admiration at the resolution offered by the gentleman from Missouri, [Mr. Clark.] At that time, a bill was pending before the Legislature to disfranchise a great city, and certain attorneys, conversant with the arts of special pleading, advised the application of those microscopic principles to the construction of the Constitution. The result was an enactment, which by indirection annulled, and by direct language repealed, the fundamental law of the State. There was only one point it failed to touch, and that was the negro question; therefore a proviso was moved, in these words: "Provided, That no Black Republican or endorser or supporter of the Helper book shall be appointed to any office under the City Board;" which was passed by the Legislature of Maryland. He would not read the names, but he would place them on the record of these debates, and would hand them down as far towards immortality as these records extend. Not content with thus protecting the interests of Maryland against the intrusion of this great Northern party to the high and lucrative position of policemen, they were called upon, shortly afterwards, to pass upon another measure—a street railroad in Baltimore. They then remembered that the people would come in daily contact with the conductors and managers of that road, and thus the subtle poison of anti-slavery might become diffused through all Baltimore, without anybody being the wiser; and to protect Baltimore against this poison in the atmosphere, those sagacious statesmen, in like manner, provided in the bill, "that no Black Republican or endorser or approver of the Helper book shall receive any of the benefits or privileges of this act, or be employed in any capacity by the said railway company." [Laughter.] He therefore warned honorable gentlemen on the Republican side, that when they passed through Baltimore, on their way home, they must be prepared to respond as to their political principles at the car doors, or lose the lightning train. Some days after, another bill was before them for the purpose of endowing the State Agricultural Society, and an indiscreet representative of the dominant party proposed to add the same proviso; but they knew that contamination does not spread so rapidly in the rural districts, and they also reflected that there are Morgan horses, Durham cattle, and Southdown sheep, and that occasionally a Black Republican Yankee invents a plough; so the proviso was voted down. But they felt that in this they had made themselves, as the Frenchman would say, "suspected" in their guardianship of Southern institutions, and so they next assumed the guardianship of one of the Representatives of the people of Maryland on this floor.

They first passed a resolution, requiring the Representatives of Maryland to vote for some one on the Democratic side for Speaker. He knew the resolution was aimed at him; but these gentlemen, more familiar with the Cincinnati platform than with Blair's Rhetoric, were entirely incapable of saying what they meant, and drew the resolution in such ambiguous terms, that his political friends actually supposed it was intended to censure the Democratic members, and all voted for it. He had intended to waive the badness of the plea and the ambiguity, and respond to the resolution in the spirit in which it was moved, but he was overruled by the rapid pressure of events. The elevation of the gentleman from New Jersey to the Speaker's chair revived the zeal of this honorable body for Southern rights, and they felt compelled to condemn the now-completed act. And, therefore, the honorable the Legislature of Maryland thus resolved:

"*Resolved by the General Assembly of Maryland*, That Henry Winter Davis, acting in Congress as one of the Representatives of this State, by his vote for Hon. William Pennington, the candidate of the Black Republican party for the Speakership of the House of Representatives, has misrepresented the sentiments of all parties in this State, and thereby forfeited the confidence of the people."

He told the honorable gentlemen who voted for that resolution to take back their message to their masters, for only to their masters would he speak, face to face, and not to them. It had always been the characteristic of that party now temporarily predominant in Maryland, that they would allow no opportunity to pass to indicate their peculiar fidelity to the South by stirring up sectional strife, by mooting questions which sensible men ought not to argue, by libelling their neighbors, and making the men who live next door to them hateful to their fellow-citizens, by proclaiming that every man who is not a Democrat is an Abolitionist, by persuading fanatics that if they come within the limits of Southern States to do mischief, they will find men who, though too cowardly to join them, will yet secretly sympathize with them. That Legislature could be described, in its principles, aims, and policy, in no other words so well as those in which Milton describes Sin sitting at the portals of hell—"a woman to the waist, and fair," &c. They stood ready at any moment to let loose upon this blessed land the hell-hounds of demoniac passion, that was determined to break up, destroy, and ruin the country. In the midst of its more noisy, obstreperous, and disturbing elements, there was a brood of small, timid, restless beings, incapable of striking a blow in open argument, or wielding the weapons of logic or reason, and skillful only to bark and bite. Of this brood was the honorable gentlemen who moved these resolutions. These men supposed they could actually take from him the confidence of his constituents, who had stood by him through good report and evil report, when it blew a storm as well as when it was calm. He knew his constituency and the people of Maryland better than these dabblers in eternal agitation; and he said that, right or wrong, wise or unwise, this day the vote he gave for Mr. Pennington was not only approved, but honored and applauded by every man whose opinion he regarded, [Applause.] And he would be willing to meet his people upon any explanation of that vote, in the face of the whole body of that Legislature, bonded and banded into one man.

What were the circumstances of this election? He had no apologies to make or excuses to offer. What he did he did in his judgment, and did not look across his shoulder at his constituents, to see what they would say. He told his constituents, before the election, that he would come here a freeman or not at all. He told them that if they wanted slaves to represent them, they could get a plenty, but he was not one. He foresaw then exactly what has happened—that the time might come when he would be obliged again to take an independent stand, unsupported breast high by men of like sentiments, and he wanted his people to know it, so that if they preferred a Representative who would bend like a willow when the storm came, they could choose material suited to their work. But they had preferred to send him, and he had done what he knew they would approve, without any apologetic statement or explanation. That approval was not a reason for but a consideration after the doing.

The gentlemen of the Legislature did not know so much about the gentleman who was elected Speaker as he and his constituents knew. They charged him with being false to the South in not voting for Mr. Smith, of North Carolina. That showed the rapidity and certainty of the transmission of news to Annapolis, and the vigilance with which those honorable gentlemen made themselves acquainted with affairs upon which they presumed to legislate. It was not to be supposed that those gentlemen could identify Mr. Pennington with Governor Pennington, whose broad seal this same Democratic party had disregarded in Congress when they usurped the inauguration of the House. That disregard of the prima facie evidence of the legal right of members they did not know—but he and his constituents knew—had now been properly punished. They did not know that Mr. Pennington held high offices under General Taylor and Millard Fillmore, and that his appointment in both cases was approved by the Senate of the United States. They could not be supposed to know that he is a Whig in his politics, and in favor of the enforcement of every law in which a Southern State is interested, and especially that law in which Maryland more than any other State has a practical interest—not a mere political one. The Legislature did not know, but his constituents did, that Governor Pennington is opposed to this agitation, and hence was the very man to be placed in that chair as a signal of peace to the country.

He anticipated a resolution of this nature from the Legislature, but was surprised that his own friends, with two exceptions, voted for it. He supposed they had allowed themselves to be frightened with the idea of being called abolitionists. Among those who voted for the resolution were some who went through the election on his shoulders, and did not appear to have sense enough to know that when they saw from the tree the bough on which they stand, they fall with it. That vote was a curious scene. The Clerk calls the name of an American once, and there is a pause; twice, and a shuffling; thrice, and a hesitating response; then a period of placid repose, while Democratic names are called and earnestly responded to; then another unfortunate American is reached, and again there is a shuffling. Gentlemen stand first upon one leg and then upon the other; gentlemen look over their shoulders, to see if there is not some courier raising a distant cloud of dust, bringing relief; some rush to consult their friends, and still their inexorable opponents, with eyes glaring upon them, sit open-mouthed, sure of their prey. And in they went! In they went! [Laughter.] He was sure he would never have been able to describe the scene but for the torture which he saw certain gentlemen here endure when they were called upon to vote for his friend from North Carolina.

He could meet with equanimity all the obloquy attaching to his course. So far as he was worth pursuing, he had no doubt he would be hounded. But he remembered a great struggle in the old hall of the House of Representatives, which excited the country as much as did this recent contest, when an illustrious statesman found himself bound by duty to his country to give a decisive vote for John Quincy Adams. From that day to the day of his death, the howl of bargain and corruption pursued him. He had sat at the feet of that man, and could, if need be, tread his path of political martyrdom. But before any cry of Legislature or of people he would not yield. There had been other questions as important as the negro question, other Legislatures eager to strike down an opponent, and timid constituencies who deserted a man for doing his duty, but he would nevertheless do his duty. No man was fit for his place who was not willing to take his political life in his hand, and go forward in the line of right without a backward look. He trusted he might never, by reason of any clamor or storm, however loud and fierce, allow himself to swerve for an instant.

He was not here merely as the Representative of the fourth Congressional district of Maryland, nor of the State of Maryland. He was bound to a wider constituency and a higher duty. If his duty to his country could be made to square with the interests of his immediate constituents, well; but there might be occasions when the patriotic Representative is called upon to make a painful decision in favor of the interests of the nation, disregarding the unanimously expressed wishes of his constituents. He trusted such an occasion would never come to him, but if it should occur, he hoped he might be found equal to the occasion.

He thought the spirit at the bottom of those resolutions of the Legislature of Maryland had a sinister import to the peace of this country. What were the circumstances under which their election took place? They had been struggling for eight weeks, amid explosions of passion of revolutionary intensity beyond anything it had ever been his fortune to witness or read of outside of the revolutionary tribunals of Paris. One portion of the House was terribly, deeply in earnest, however much he might deplore that earnestness, and regard them as misled, and from day to day persisted in branding the Representatives of the great majority of the Northern people as traitors to the country, instigators of assassination, bent upon breaking up and destroying Southern institutions, and carrying into the midst of Southern families the knife and torch of the assassin and incendiary.

Great States, moved from their propriety, passed resolutions which, however moderate in their tone, had a revolutionary aspect, and must have been revolutionary in execution. A great and patriotic State was so moved from her propriety as to be forgetful of that clause of the Constitution which forbids one State to enter into compacts and agreements with another, and to send one of her justly distinguished citizens to the capital of Virginia, for the purpose of inaugurating a consultation among Southern States; not of one those conventions which from time to time have met under the usually usurped authority of a Government, not one of those commercial conventions which from time to time are raised by the spontaneous action of people, but an assembly with the solemn forms of an embassy; speaking in the tones of the last hour before the revolution breaks out; appealing to the people of Virginia in their sovereign capacity as represented in their Legislature, by reason of grave events which just theretofore had transpired, to meet with sister States, and create one of those revolutionary Congresses which call to our memory the times of our Revolution.

He profoundly regretted these steps taken by Legislatures, and deplored the agitation of the popular mind, which gave rise to them. He stood there a sworn supporter of the Constitution of "these United States," not of that Confederacy which the sun might rise upon, but of THESE United States, and, as a Representative of the people of Maryland, he could not allow the opportunity to pass of placing an olive branch where men all over this broad land could see it. He knew if the dire day should come when peaceful secession would be attempted, that peaceful secession would be found to mean the arresting of United States marshals, the driving of United States judges from the bench, and the taking forcible possession of custom-houses, and the arresting of the execution of all United States laws. It was no part of his duty to allow this Government, which he had sworn to support, to be taken thus unawares. In circumstances so grave, in a crisis so imminent, he had deemed it best to postpone the danger by aiding to elevate to the Speaker's chair a gentleman whose personal character, whose known conservatism and moderation, and whose honored gray hairs would give the country assurance of tranquillity, and give men time for reflection. Right or wrong, there was no action of his life which he less regretted, and none more defensible upon statesmanlike grounds.

It was not accurate to speak of John Brown's heaving intrusion into Virginia as an invasion, and it was not fair to charge that act against a large body of the North in the face of the indignant denial of their representatives. That denial was not necessary, but it had been made, and ought to be satisfactory. Infamous and outrageous as the act of John Brown was, it should give them greater confidence in Southern institutions. Not a negro was found to join the insurrection, not a slave to cut his master's throat, not one but was anxious to return to the care of his master. It was absurd to speak of an invasion by seventeen men, their whole armory two hundred Sharpe's rifles, gathered manifestly for plunder, and led by a foolish fanatic, maddened by his own crimes in Kansas. The extent and the utter failure of this scheme was its best condemnation and criticism.

The stories of sympathy with the criminal, and the martyr's crown awarded to him, should excite no feeling, for they knew that it was the modern fashion and disgrace of the day, whenever any distinguished criminal was to be executed anywhere, to convert the steps of the scaffold into a Jacob's ladder, and make the gallows the very gate of heaven. Reverend gentlemen of every denomination were ready to say, over the dying criminal, not the *miserecorde*, but, "Son of St. Louis, ascend to heaven." But it was a grave mistake to suppose that puling philanthropy represents, anywhere in this country, any great body of political strength. They might more justly take the declaration of the gentleman from Ohio, [Mr. Sherman.] He thought there was no ground for the prevailing excitement, and that gentlemen would find they had committed follies which they would not be inclined to repeat; and when the gentleman who was the first candidate of the Republican party assured them that there was not a single topic of excitement liable to be reopened, unless gentlemen on the Democratic side produce it, let them read that declaration by the light of the magnificent oration of his colleague, [Mr. Corwin,] who spoke for peace, not for war, and believe that the terror is past, and that there is no intention to invade any right of any Southern State.

Let Northern men think as they pleased on the subject of slavery, as they had in the past. Those who believed it to be hateful to God and unjust to man had never more than fourteen Representatives on this floor; and yet that handful was made the occasion of perpetual cry of war, from one end of the country to the other. There had been no aggressive act as yet proposed, and no speech uttered which was not defensive in its character.

For the National Era.

What are our constitutional rights and obligations? is a subject which should engage the attention of every citizen of our Republic. The continual harping of our Southern brethren, in Congress and out of Congress, about the encroachment on their constitutional rights, has led me to a close and scrutinizing study of the Constitution, in order to ascertain if their charges were founded in *truth* and *justice*.

I find that the Constitution is in harmony with the high and noble principles set forth in the preamble, viz: "To form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These principles are of universal application. They extend to every person in this great Republic—as much to the colored person as to the white.

Then the Constitution says expressly that "no person shall be deprived of life, liberty, or property, without due process of law."

American slavery is incompatible with every just principle therein set forth. The Constitution was never ordained and established to destroy men's rights, but to protect them. I see no just grounds of complaint of our Southern brethren, which we hear reiterated nearly every day of our lives, that their constitutional rights are continually invaded by the North, or by the Republican party.

In their oft reiterated complaints, they do not point to the first item of the Constitution which has been violated by the Republican party. The continual threats of the Administration, that, in the event of the election of a Republican President, they will dissolve the Union, is *treasonable*, and without any foundation in wisdom or justice.

Let our Southern brethren assuredly know that we are *really* their friends, and not their enemies, as they continually assert, yet without cause. Because we are opposed to slavery and its extension, are we therefore their enemies? By no means. Their complaints that they are exclued from the Territories are without any foundation in fact. They have equal privileges in the Territories that the people of the North have. They can go there, and there be protected in all their constitutional rights the same as others. They have no constitutional right to take slaves there, for slavery has no constitutional rights.

Our constitutional rights are invaded by the South, when our peaceable, unoffending citizens are driven out of the Southern States by mob violence, simply for cherishing sentiments in conflict with slavery. We have a perfect right to our own views of the evils and sinfulness of American slavery, and the South have no grounds of hatred or complaint.

We believe it is for the interest of the whole South to speedily emancipate their slaves.

If they are determined to perpetuate the inhuman system of slavery in the States, they will do it, and take the consequences. But the extension of it into any of the Territories of the United States should forever be prohibited by Congress.

Congress have a constitutional power to do that, and it is her duty to exercise it.

The Administration party are growing weaker every day, from the effects of their oppressive and unconstitutional treatment of their Northern friends. If we elect a Republican President this year, which we expect to do, we have no design nor desire to encroach at all upon any of the constitutional rights of the South, and I hope they will wait till they are encroached upon before they complain.

"Prove all things; hold fast that which is good."

"As ye would that men should do unto you, do ye even so to them, for this is the law and the prophets." E. MAXSON.

West Edmeston, N. Y.

A WEEK LATER FROM EUROPE.

Halifax, Feb. 22.—The steamer Europa has arrived from Liverpool, with advices to the 11th inst.

England.—Mr. Gladstone introduced the annual budget, showing financial results for the past year to be eminently satisfactory. The estimated expenditures for the next year are over seventy millions sterling. The receipts are estimated at sixty and three-quarters millions, and the deficiency is to be made up by an income-tax of ten pence on incomes of £150, and seven pence on incomes below that sum.

The provisions of the French treaty, as published, have been generally anticipated. Duties are materially reduced on wines, brandy, timber, currants, raisins, &c. The duties on paper, butter, tallow, and other articles, are abolished. The duties on tea and sugar remain unchanged for another year. The provisions of the treaty have generally been favorably received.

In political matters there is nothing of striking importance.

France.—The report is confirmed that the French troops in Italy had received orders to march at a day's notice. It is supposed that the occupancy of Tuscany is contemplated, if Piedmont continues to oppose the annexation of Savoy.

Italy.—Austria rejects the principal propositions of England for the settlement of the Italian question. Her official objection had not been received.

Spain.—It is supposed that England will resume her offer of mediation between Spain and Morocco.

The Legislature of Alabama has passed a resolution unanimously favoring Col. Butterfield's projected steam mail line from Mobile or New Orleans to various Mexican ports, and requesting the Alabama delegation in Congress to vote for the passage of his bill.

FURTHER CALIFORNIA NEWS.—*Malloy's Station, February* 22.—The California papers to the 30th ult. contain the following additional news:

Accounts from Carson Valley say the condition of the cattle in that vicinity is terrible. In the vicinity of Warm Springs, it is estimated that there were 5,000 carcasses in sight at one time. The snow was going off, and it was hoped that grass would soon be accessible.

The excitement concerning the Washoe silver mines continued unabated.

The sales of claims made in San Francisco during the two weeks previous to the departure of the mail amounted to $130,000.

Mr. Lamar had introduced a resolution in the Legislature, asking Congress to grant pre-emption titles to actual settlers from the 3d of March, 1846, to the 3d of March, 1861.

Rich surface diggings had been discovered near Georgetown.

The silver mines discovered at Mount St. Helens, Wassa county, have proven to be of little value.

The road between Placerville and Carson Valley was unobstructed by snow, and operations had been resumed in some of the silver mines. Most unbounded confidence appears to be felt in the richness of the mines east of the mountains.

The steamship Baltic, of the North Atlantic Steamship Company, having sailed from Aspinwall on the 19th inst., with the treasure and passengers which left San Francisco on the 6th, has arrived at New York. There were $1,393,179 upon her treasure list, and the Vanderbilt steamer, it is understood, will bring forward $420,000 additional. Among the passengers of the Baltic is the Hon. Milton S. Latham, the recently-elected Senator from California. The news from California, the Isthmus, and from Central and South America, by the Baltic, is later and interesting.

The news from California is destitute of features of particular interest. Business in San Francisco was comparatively dull, in consequence of the decline in speculative feeling, and the country was buying goods very sparingly. The refusal of the Anti-Lecompton Democrats to take part in the Democratic State Convention had created some excitement in political circles. New discoveries of quartz diggings in Carson Valley had stimulated the gold fever to renewed activity; the newly-discovered veins yielding rich returns, both in silver and gold. There are reports of new outrages by the Indians on the Mendocino Reservations, incited in great measure by the barefaced peculations of the agents of the Federal Government. The missionaries who had taken passage for Japan by the What Cheer and Page had not been suffered to depart, in consequence of some unexplained difficulties with the consignees of those vessels.

PENNSYLVALIA REPUBLICAN STATE CONVENTION.—*Harrisburg, Feb.* 22.—The Republican State Convention assembled here to-day, and was called to order at noon. Francis Jordan and John Hamilton were nominated for chairman. The Convention decided in favor of Mr. Jordan by acclamation. The yeas and nays were demanded, and the decision as first announced was sustained by ten majority.

Harrisburg, Feb. 22.—The Republican Convention was this afternoon densely crowded.

Hon. James Pollock was elected permanent president, assisted by a number of vice presidents and secretaries. In taking the chair, Gov. Pollock made quite a patriotic, Union-loving speech.

An exciting discussion was caused by a resolution which was offered, declaring Mr. Cameron a candidate for the Presidential nomination of the Chicago Convention.

At the evening session, the resolution endorsing Mr. Cameron was adopted—yeas 80, nays 39.

Harrisburg, Feb. 23.—The People's Convention reassembled this morning, and resumed the debate on the resolution pending for the selection of delegates to the Chicago Convention. A substitute was offered, and accepted by the mover of the original resolution, allowing the delegates of the various Congressional districts to select their own delegates to said Convention.

The resolution, as amended, was carried—yeas 188, nays 4.

The Convention then proceeded to nominate a candidate for Governor, when, on the third ballot, A. J. Curtin was nominated.

Harrisburg, Feb. 23.—The People's Convention to-day selected James Pollock and Thomas M. Hone electors for the State at large, and David Wilmot, Henry D. Moore, Samuel A. Purviance, Andrew H. Reeder, Thaddeus Stevens, Titian J. Coffey, John H. Ewing, M. B. Lowry, delegates at large, to the Chicago Convention. The selection of delegates from the first four districts was referred to the people. Delegates from most of the other districts were reported.

The Convention adjourned *sine die* this afternoon.

Mr. Cameron's friends have obtained the strongest possible endorsement of his claims for the Presidency. The delegates selected comprise the ablest men in the State, who will go to Chicago with a full intention to secure his nomination.

A communication was received by the Convention from Mr. Cameron, thanking them for the honor conferred upon him.

The Pruntytown (Virginia) *Visitor* refers to an uneasy feeling which pervades Northwestern Virginia on the negro question. It says the people of that region "are beginning to open their eyes to the unjust oppressive laws on taxation, all in consequence of the institution of slavery; and while they are willing that their Eastern brethren may own as many slaves as they please, they are unwilling to be ground to the dust to pay taxes to protect and defend an institution with which they have but little interest and less sympathy. Our people are unwilling much longer to bear these oppressions. They are not willing to be made poor, and kept poor, to enrich their slave-owning brethren of the East, while slave property is almost wholly exempt from taxation. Western Virginia has borne with injury upon injury, insult upon insult, and outrage upon outrage, until forbearance ceases to be a virtue."

HON. MR. KEITT'S BROTHER MURDERED.—On Friday, Mr. Keitt, the member of Congress from South Carolina, received a dispatch stating that an elder brother of his, a physcian, residing at Pilatka, Florida, was murdered in his bed by some of his negroes. The murdered man was at the time ill in his bed, and his throat was cut by one or more negroes, whom he had not long before purchased. They were from some one of the northern slaveholding States—probably Maryland or Virginia. There is a report that Pilatka was marked down upon John Brown's map with a red cross, indicating that it embraced the elements of insurrection.

ACCIDENTS ON THE TWENTY-SECOND.—*Boston, Feb.* 23.—Andrew Lanergan, the noted pyrotechnist, was fatally injured yesterday, by the premature explosion of fire-works, while he was engaged in experimenting.

Pittsburgh, Feb. 23.—A piece of ordnance of the Duquesne Grays prematurely exploded yesterday, during the celebration, shattering the hand and arm of Mr. H. Bonnefon, and splitting open the head of J. H. Stewart, members of the company. Another member was slightly wounded. Mr. Bonnefon's arm has been amputated.

DISSOLUTION IN CANADA.—*Toronto, Feb.* 23.—A very lengthy address from the Reform Association appears in the *Globe*, advocating a dissolution of the Union, and the establishment of two or more provinces, with local Legislatures, a central authority to administer matters common to the whole coutry, and a written Constitution.

Florida planters, in large numbers, accompanied by their slaves, are said to be moving westward to the Mississippi valley and Texas, in search of more fertile lands. The New Orleans *Crescent* thinks the loss of population will rather benefit Florida than prove detrimental, as the places of those rich planters will be supplied by small farmers and working men.

The receipts into the Treasury for the last week amount to nearly $1,500,000, drafts paid $873,000, drafts issued $4,873,000. The reduction from the amount on hand the previous week is nearly $3,396,000, leaving subject to draft upwards of $5,678,000.

The Massachusetts Legislature consists of sixty Senators and two hundred and forty Representatives. Of this aggregate, twenty-four are lawyers, fifty-six are farmers, thirty-one are merchants, about fifty are manufacturers, eight are physicians, three are clergymen, and five are editor Might be worse.

IOWA DEMOCRATIC STATE CONVENTION.—*Burlington, Iowa, Feb.* 25.—The Democratic State Convention met at Des Moines on the 22d, for the purpose of selecting delegates to Charleston. A. C. Dodge, Ben. M. Samuels, ex-Governor Baker, and D. O. Lynch, were chosen delegates at large. Resolutions instructing the delegates to vote for Judge Douglas were passed.

The proprietors of the Baltimore *Patriot* have sued the proprietors of the *Clipper* for libel, in charging in their paper that the former paper had sold out to the Republicans, and now stood in the attitude of a Republican party organ, opposing and denouncing the American party of Maryland because it is a third party. The damages are placed at $500.

VIRGINIA OPPOSITION CONVENTION.—*Richmond, Feb.* 25.—The Convention adopted the majority report to send delegates to Baltimore. While they do not adopt any other suggestion in the address of the National Committee, the Convention does not mean to discourage the movement now being made elsewhere for the formation of a great national conservative Union party. The Convention expressed no preference for any candidate.

WOULD NOT HAVE HIM FLOGGED.—A slave boy, named Barras, was lately arrested in New Orleans, charged with having disposed of $3,000 of his master's money without authority. The master, who was an old Frenchman, refused to allow him to be flogged, claiming that he was "too smart," and that he had done his business for thirty years.

A CONVERT TO THE CATHOLIC CHURCH.—Our Minister Resident to Guatemala and Honduras, Hon. Beverly L. Clark, of Kentucky, has entered into the bosom of the Roman Catholic Church, the ceremonies of abjuration of the old and confession of the new faith having been performed in the cathedral of the city of Gautemala with great pomp and parade.

THE NATIONAL ERA,
WASHINGTON, D. C.
Vol. XIV. January, 1860.

The *National Era* is a Political, Literary, and Family Newspaper. It is an uncompromising opponent of Slavery and the Slave Power, an advocate of Personal, Civil, and Religious Liberty, and the friend of the Homestead Bill, and all measures calculated to give to Labor its just consideration, recompense, and political weight. Regarding Slavery and the issues involved in it as the Great Political Question of the day, it has supported and will continue to support the Republican Party, so long as it shall be true to Freedom. In principle and policy the *Era* will continue to be, in all respects, what it has always been. The melancholy event which transferred its responsibilities to the present proprietor, will make no change in its character.

The *National Era* presents a weekly summary of General News and Political Intelligence, keeps an accurate record of the proceedings of Congress, and is the repository of a large portion of the most important Speeches delivered in that body. Mr. D. R. GOODLOE, for a long time a contributor, and known to you since last January as Assistant Editor, will have charge of the Political Department, assisted by other able writers. The Literary Miscellany, chiefly original, is supplied by some of the best writers of the country.

In the midst of a community hostile or indifferent to its objects, the *National Era* has for thirteen years labored for the establishment of the principles upon which the Republican Party is founded. It is certainly important on the eve of a Presidential Campaign, and when incendiary appeals are again made for its suppression by mob violence, that it should be vigorously sustained, and that the seat of Government should not be surrendered to Pro-Slavery influences. The terms of the *Era* are as liberal as can possibly be afforded by any paper published in this city, relying upon its subscription list alone for support.

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Address M. L. BAILEY, *Proprietor National Era, Washington, D. C.*

THE REPUBLICAN PLATFORM.

This Convention of Delegates, assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri Compromise; to the policy of the present Administration; to the extension of Slavery into free Territory; in favor of the admission of Kansas as a free State; of restoring the action of the Federal Government to the principles of Washington and Jefferson; and for the purpose of presenting candidates for the offices of President and Vice President, do

1. *Resolve*, That the maintenance of the principles promulgated in the Declaration of Independence, and embodied in the Federal Constitution, are essential to the preservation of our Republican institutions; and that the Federal Constitution, the rights of the States, and the union of the States, shall be preserved.

2. *Resolved*, That, with our Republican fathers, we hold it to be a self-evident truth, that all men are endowed with the unalienable right to life, liberty, and the pursuit of happiness; and that the primary object and ulterior design of our Federal Government were to secure those rights to all persons within its exclusive jurisdiction; that as our Republican fathers, when they had abolished Slavery in all our National Territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the Constitution against all attempts to violate it, to prevent the establishment of Slavery in the Territories of the United States by positive legislation prohibiting its existence therein. And we deny the authority of Congress, of a Territorial Legislature, of any individual or association of individuals, to give legal existence to Slavery in any Territory of the United States, while the present Constitution shall be maintained.

3. *Resolved*, That the Constitution confers upon Congress sovereign power over the Territories of the United States for their government, and that in the exercise of this power it is both the right and the duty of Congress to prohibit in its Territories those twin relics of barbarism, Polygamy and Slavery.

4. *Resolved*, That while the Constitution of the United States was ordained and established by the people in order to "form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, and secure the blessings of liberty," and contains ample provisions for the protection of the life, liberty, and property, of every citizen, the dearest constitutional rights of the people of Kansas have been fraudulently and violently taken from them;

Their Territory has been invaded by an armed force;

Spurious and pretended Legislative, Judicial, and Executive officers have been set over them, by whose usurped authority, sustained by the military power of the Government, tyrannical and unconstitutional laws have been enacted and enforced;

The rights of the people to keep and bear arms have been infringed;

Test oaths of an extraordinary and entangling nature have been imposed, as a condition of exercising the right of suffrage and holding office;

The right of an accused person to a speedy and public trial by an impartial jury has been denied;

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, has been violated;

They have been deprived of life, liberty, and property, without due process of law;

That the freedom of speech and of the press has been abridged;

The right to choose their Representatives has been made of no effect;

Murders, robberies, and arsons, have been instigated and encouraged, and the offenders have been allowed to go unpunished;

That all these things have been done with the knowledge, sanction, and procurement of the present Administration, and that for this high crime against the Constitution, the Union, and Humanity, we arraign that Administration, the President, his advisers, agents, supporters, apologists, and accessories either before or after the facts, before the country and before the world; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages, and their accomplices, to a sure and condign punishment hereafter.

5. *Resolved*, That Kansas should be immediately admitted as a State of the Union, with her present Free Constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her Territory.

6. *Resolved*, That the highwayman's plea, that "might makes right," embodied in the Ostend Circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any Government or people that gave it their sanction.

7. *Resolved*, That a railroad to the Pacific Ocean, by the most central and practical route, is imperatively demanded by the interests of the whole country, and that the Federal Government ought to render immediate and efficient aid in its construction, and, as an auxiliary thereto, the immediate construction of an emigrant route on the line of the railroad.

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[*Continued from first page.*]

they vote at the ballot-box; and they have, so far as I know, just exactly the same political rights that I have, and I hope they will always have them; and I do not know that we are guilty of any disloyalty to anybody in doing it. We have but few of them—very few. There was an event in the history of my State, not many years ago, which turned attention to the unprotected condition of this unfortunate class, even before the decision of the Supreme Court of the United States in the Dred Scott case. In the year 1837, a case of kidnapping, for the first time, came before the courts of the State of New Hampshire, and the statement of that case I will read:

"Upon the trial, it appeared that on the 24th of February, 1835, the overseers of the poor of the town of Exeter placed said Swett, who was a mulatto boy, about six years of age, and one of the paupers of said town, with the defendant, who resided in Sanbornton, as an apprentice; and the defendant at that time executed a written memorandum, by which he agreed that he would take said Swett, to have and to hold him by an indenture to be made by the overseers, in case he should use the boy well; and that he would clear the town from all expense that might accrue, by not returning the boy to the poor-house within one year.

"It did not appear that any indenture had ever been executed.

"On the 24th of October, 1836, the defendant carried the boy from his house, in Sanbornton, to the house of one Jonathan Bennett, in Northwood, a distance of forty miles, and left him there. He at that time told the wife of said Jonathan that the boy was given to him by the overseers of the poor of Exeter; that he had sold him to one Samuel Bennett, of Alabama, a brother of said Jonathan, until he should be twenty-one years old, for the sum of fifty dollars, and requested her to pay him that sum for said Samuel; and he further said, that said Samuel had paid him five dollars for bringing him from his house to Northwood, and requested her to say nothing about the sale."—*The State* vs. *Rollins, New Hampshire Reports, vol. 8, p. 551.*

I remember very well the circumstances of that case. It occasioned a very great feeling at the time. A trial was had, and the facts which I have now read from the report of the case were found to be true; and so careless, if I may so say, had the State of New Hampshire been in regard to this subject, that it was found, as late as 1837, that she had no statute even against kidnapping. The facts were found to be true, and the perpetrator of this wrong was left to such judgment as the court might inflict upon him under the provisions of the common law.

At that time, although it produced a good deal of excitement in my State, it produced no sort of excitement against anybody except the man who had done it; and I believe to-day that we should have had just exactly as much right and as much reason to charge that kidnapping of that boy in New Hampshire, in 1837, upon the slave States of this Union, as the slave States have to charge the raid of John Brown into Virginia upon the free States. I do not suppose that there was a man in the State of Virginia who knew of it. Neither do I suppose that a man in the State of New Hampshire knew about John Brown. And, sir, further than that, if we were to adopt the reasoning you have adopted on this occasion, and say that, if you did not know it, it was the direct and legitimate consequence of the doctrines you preach, I might use the same argument to you, and say that the kidnapping of this boy was the natural and legitimate result of the doctrines which you preach; because the Supreme Court have decided that these persons have no rights which white men are bound to respect; and the natural and legitimate result of such a doctrine as that will be to take and to make slaves of a class who have no rights that white men are bound to respect. But, sir, we do no such thing. We did not believe, and we do not believe now, and never have believed, that there was anybody responsible for that kidnapping, except the party upon trial, and against whom the offence was proved.

Mr. BENJAMIN. Will the Senator pardon me a moment?

Mr. HALE. Certainly.

Mr. BENJAMIN. Will the Senator be kind enough to state when and where the Supreme Court of the United States, or any judge of it, ever said that colored people had no rights that white people were bound to respect?

Mr. HALE. Yes, sir; in the Dred Scott case.

Mr. BENJAMIN. I thought that calumny had been exploded long ago; but I will inform the Senator that, if he will take the trouble to read that decision, he will find that the only place in which that sentence is used, is in a passage of the opinion of the Chief Justice, where he says, in making a historical summary, that in former times it was supposed that these unfortunate people had no rights that white people were bound to respect. He is there giving a historical summary of the condition in which these people were prior to the Revolution; and there is not a syllable in the entire opinion having the remotest bearing upon, or authorizing any such construction to be put upon, the language of the Court or the Chief Justice. If the Senator will read it, I shall be glad, if it is at hand. I am sure it is so.

Mr. HALE. There has been more difficulty in ascertaining what the Dred Scott decision actually decided, than there was about a famous letter that was written a good many years ago by the Secretary of State to a distinguished member of this body now. I refer to what is familiarly called the Nicholson letter. We all know that there were more constructions put upon that, than upon any disputed text of Scripture in the world; and I confess I do not know to-day what is the true faith upon that letter. I have heard so much said about this Dred Scott decision, that I do not know what was decided. I suppose, literally and judicially, there was nothing decided in it that anybody is bound to respect, except the fact that Dred Scott had no right to bring his action there; and everything else that the Court undertakes to decide is extra-judicial, and brought in improperly and extra-judicially, and ought not to have been there; but——

Mr. BENJAMIN. If the Senator will permit me, what I assert is, that, on a careful reading of that decision, there is nothing, in opinion, or decision, or declaration, by any judge, stating that to be his opinion, under any circumstances.

Mr. HALE. I will read it. I remember a very wise maxim of Lord Coke, that I learned when I was a boy. He said, "One man averreth one thing, and another another; but the verity is the record." I have got the record here, and I will read it. The Chief Justice, in his opinion in the Dred Scott case, says:

"It is difficult, at this day, to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted. But the public history of every European nation displays it in a manner too plain to be mistaken.

"They had, for more than a century before, been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect."

That is the basis of the argument, the historical basis of argument which the Chief Justice lays down to justify him and the Court in the conclusion to which they come. I know very well, according to my reading of the Dred Scott decision, that that is not law, neither is any part of it law—I mean any part of it matter that was legally before the Court, except the question which arose on the plea in abatement, whether Dred Scott had a right to bring an action in that Court; and in that I am supported by some of the best lawyers on that bench. I am willing to leave to any tribunal whether I am sustained, or not, in the declaration I have made.

But, sir, I leave that part of the speech of the Senator from Georgia, which relates to the action of my own State, where I put it; and I now proceed to another part, that is to be found not only in the speech of the Senator from Georgia, but in almost every other speech that has been made on this subject; and that is, a most solemn appeal to us to reverence and abide by and obey the construction of the Constitution which they give, because it has been solemnly decided to be the law by the Supreme Court of the United States. The State of the honorable Senator from Wisconsin [Mr. DOOLITTLE] was reprimanded, for having the audacity to send Senators here, after the Supreme Court of that State had decided that your fugitive slave law was unconstitutional. Now, sir, I desire to meet that question right here, distinctly and unequivocally and plainly. I have heard this appeal made over and over again, I think, by nearly every gentleman who has addressed the Senate from the other side of the Chamber—this appeal to the Supreme Court; and by nobody with more emphasis than by the Senator from Georgia. If the State of Wisconsin is guilty of audacity in sending Senators here after that State has decided that statute to be unconstitutional, I will appeal to the honorable Senator himself. I will waive the enlightened public sentiment of mankind; but I will take his opinion upon what he thinks of the State of Georgia, after I shall have read the record which I propose to read in reference to that State and the Supreme Court of the United States; and in doing it, let me not be misunderstood. I am not going to intimate that the State of Georgia was not right; I declare that the bias of my mind is, that she was; but when I read that history, I will only say that, while I shall listen with all patience to anybody who chooses to lecture me on reverence for the Supreme Court, I will ask the man who undertakes to lecture me, if he has read the solemn judicial decision of his own State, in which, as late as 1854, the Supreme Court of that State boasted that they had treated the decision of the Supreme Court of the United States with profound contempt?

Sir, the doctrine about the infallibility of the Supreme Court of the United States is new from that side of the House; it is a very new doctrine. It does not surprise me; but it does surprise me, coming from that side of the House. What is the history of the Democratic party in regard to the Supreme Court of the United States? Here I will state it in brief, and I will come to the proof. From the time that Mr. Jefferson came into power, down to the time that the Supreme Court struck their flag, there was an open and undisguised hostility, on the part of the Democratic party, against the Supreme Court of the United States, promulgated by her most prominent men—I know over and over again by Jefferson; made the basis of his own action by Jackson, and proclaimed upon the floor of the Senate by Buchanan.

The Supreme Court of the United States decided that a Bank of the United States was constitutional; but I believe that the very next time that that party held a national convention—or if it was not immediately after that, it was very soon after—their reverence for the Supreme Court was so great that they incorporated it as one of the standing articles of their faith into that platform, that Congress had not power to incorporate a Bank of the United States, notwithstanding the Supreme Court had so decided. To show the pertinacity with which they set up the authority of Democratic caucuses against the United States Supreme Court, they have kept that in, years and years after the United States Bank is dead and buried, and its memory rotten; but still the Democratic party cannot hold a convention, even as late as 1856 in Cincinnati, but they put in a resolution against a United States Bank, and against the power of Congress to charter one. Why, sir, that has been about all the Democracy we have had down East for a long time, [laughter,] hostility to the United States Bank. Appeal to them upon any other issue, and they could not listen to you until they had gone back and fired a volley over the dead carcass of the United States Bank. That is the way they manifested their reverence for the opinion of the Supreme Court.

But, sir, I want to show you how Jefferson talked on this subject. I read from the sixth volume of Jefferson's Works, page 461. I do not know but that I have made some of these quotations here before. Mr. Jefferson, in a letter dated on the 11th of June, 1815, to Mr. W. H. Torrance, said:

"The second question, whether the judges are invested with exclusive authority to decide on the constitutionality of a law, has been heretofore a subject of consideration with me in the exercise of official duties. Certainly, there is not a word in the Constitution which has given that power to them, more than to the executive or legislative branches. Questions of property, of character, and of crime, being ascribed to the judges, through a definite course of legal proceeding, laws involving such questions belong, of course, to them; and as they decide on them ultimately, and without appeal, they of course decide *for themselves*. The constitutional validity of the law or laws again prescribing executive action, and to be administered by that branch ultimately, and without appeal, the Executive must decide for *themselves* also, whether, under the Constitution, they are valid or not. So, also, as to laws governing the proceedings of the Legislature; that body must judge *for itself* the constitutionality of the law, and equally without appeal or control from its co-ordinate branches."

In the seventh volume of Jefferson's works, page 134, in a letter written to Judge Roane, he says:

"In denying the right they usurp of exclusively explaining the Constitution, I go further than you do, if I understand rightly your quotation from the Federalist, of an opinion 'that the judiciary is the last resort in relation *to the other departments* of the Government, but not in relation to the rights of the parties to the compact under which the judiciary is derived.' If this opinion be sound, then, indeed, is our Constitution a complete *felo de se;* for, intending to establish three departments, co-ordinate and independent, that they might check and balance one another, it has given, according to this opinion, to one of them alone, the right to prescribe rules for the government of the others, and to that one, too, which is unelected by, and independent of, the nation; for experience has already shown that the impeachment it has provided is not even a scarecrow; that such opinions as the one you combat, sent cautiously out, as you observe, also, by detachment, not belonging to the case often, but sought for out of it, as if to rally the public opinion beforehand to their views, and to indicate the line they are to walk in, have been so quietly passed over as never to have excited animadversion, even in a speech of any one of the body intrusted with impeachment. The Constitution, on this hypothesis, is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please. It should be remembered, as an axiom of eternal truth in politics, that whatever power in any Government is independent, is absolute also; in theory, only, at first, while the spirit of the people is up, but in practice as fast as that relaxes. Independence can be trusted nowhere but with the people in mass. They are inherently independent of all but moral law. My construction of the Constitution is very different from that you quote. It is, that each department is truly independent of the others, and has an equal right to decide for itself what is the meaning of the Constitution in the cases submitted to its action; and especially where it is to act ultimately and without appeal. I will explain myself by examples which, having occurred while I was in office, are better known to me, and the principles which governed them."

He then goes on to quote the sedition laws, which he says the judiciary pronounced to be constitutional, and sentenced the men to prison; but he adjudged them unconstitutional, and turned them out; and also the famous case of Marbury *vs.* Madison, where a justice of the peace had been appointed by John Adams before he went out of office, and the Supreme Court was applied to for a *mandamus* to compel the Secretary to deliver the commission, and Jefferson said he adopted a different rule, and was always vexed that that was quoted as law, for it was no[illegible] but mere usurpation. In the same volume, page 192, in his letter to Thomas Ritchie, December 25, 18[illegible], he is a little more explicit. He says:

"The judiciary of the U[illegible]ted States is the subtile corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination of a general and special Government to a general and supreme one alone. This will lay all things at their feet; and they are too well versed in English law to forget the maxim, '*boni judicis est ampliare jurisdictionem*.' We shall see if they are bold enough to take the daring stride their five lawyers have lately taken. If they do, then, with the editor of our book, in his address to the public, I will say, that 'against this every man should raise his voice,' and more, should uplift his arm. Who wrote this admirable address? Sound, luminous, strong, not a word too much, nor one which can be changed but for the worse. That pen should go on, lay bare these wounds of our Constitution, expose the decisions *seriatim*, and arouse, as it is able, the attention of the nation to these bold speculators on its patience. Having found, from experience, that impeachment is an impracticable thing, a mere scare-crow, they consider themselves secure for life; they skulk from responsibility to public opinion, the only remaining hold on them, under a practice first introduced into England by Lord Mansfield. An opinion is huddled up in conclave, perhaps by a majority of one, delivered as if unanimous, and with the silent acquiescence of lazy or timid associates, by a crafty chief judge, who sophisticates the law to his mind by the turn of his own reasoning. A judiciary law was once reported by the Attorney General to Congress, requiring each judge to deliver his opinion *seriatim* and openly, and then to give it to the clerk to be entered in the record. A judiciary, independent of a King or Executive alone, is a good thing; but independence of the will of the nation is a solecism, at least in a republican Government."

Again, in a letter to Mr. Thweat, dated January 19, 1821, (same volume, page 198,) he says:

"The legislative and executive branches may sometimes err, but elections and dependence will bring them to rights. The judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass. Against this I know no one who, equally with Judge Roane himself, possesses the power and the courage to make resistance, and to him I look, and have long looked, as our strongest bulwark. If Congress fails to shield the States from dangers so palpable and so imminent, the States must shield themselves, and meet the invader foot to foot."

Again, (in the same volume, page 403,) in a letter to Edward Livingston, he says:

"One single object, if your provision attains it, will entitle you to the endless gratitude of society—that of restraining judges from usurping legislation. And with no body of men is this restraint more wanting than with the judges of what is commonly called our General Government, but what I call our foreign department. They are practicing on the Constitution by inferences, analogies, and sophisms, as they would on an ordinary law. They do not seem aware that it is not even a *Constitution* formed by a single authority, and subject to a single superintendence and control, but that it is a compact of many independent powers, every single one of which claims an equal right to understand it, and to require its observance. However strong the cord of compact may be, there is a point of tension at which it will break. A few such doctrinal decisions as barefaced as that of the Cohens, happening to bear immediately on two or three of the large States, may induce them to join in arresting the march of Government, and in arousing the co-States to pay some attention to what is passing, to bring back the compact to its original principles, or to modify it legitimately by the express consent of the parties themselves, and not by the usurpation of their created agents. They imagine they can lead us into a consolidate Government, while their road leads directly to its dissolution. This member of the Government was at first considered as the most harmless and helpless of all its organs. But it has proved that the power of declaring what the law is, *ad libitum*, by sapping and mining, slyly, and without alarm, the foundations of the Constitution, can do what open force would not dare to attempt. I have not observed whether, in your code, you have provided against caucusing judicial decisions, and for requiring judges to give their opinions *seriatim*, every man for himself, with his reasons and authorities at large, to be entered of record in his own words. A regard for reputation, and the judgment of the world, may sometimes be felt, where conscience is dormant, or indolence inexcitable. Experience has proved that impeachment in our forms is completely inefficient."

In a letter to Mr. Adams, dated September 11, 1804, to be found in the fourth volume of Jefferson's works, page 561, he says:

"You seem to think it devolved on the judges to decide on the validity of the sedition law. But nothing in the Constitution has given them a right to decide for the Executive, more than to the Executive to decide for them. Both magistrates are equally independent in the sphere of action assigned to them. The judges, believing the law constitutional, had a right to pass a sentence of fine and imprisonment, because the power was placed in their hands by the Constitution. But the Executive, believing the law to be unconstitutional, were bound to remit the execution of it, because that power has been confided to them by the Constitution."

These were the doctrines of Jefferson in earlier days. Now, sir, I will read to you the opinion of a later authority—the opinion of General Jackson. It may be found on page 438 of the Senate Journal for the first session of the Twenty-second Congress, and is in these words:

"If the opinion of the Supreme Court covered the whole ground of this act, it ought not to control the co-ordinate authorities of this Government. The Congress, the Executive, and the Court, must each for itself be guided by its own opinion of the Constitution. Each public officer, who takes an oath to support the Constitution, swears that he will support it as he understands it, and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President, to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval, as it is for the supreme judges, when it may be brought before them for judicial decision. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges; and, on that point, the President is independent of both. The authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve."

General Jackson was aware that he had taken a strong position in that case, and he closes, with a solemn appeal. He says:

"I have now done my duty to my country. If sustained by my fellow-citizens, I shall be grateful and happy; if not, I shall find, in the motives which impel me, ample grounds for contentment and peace."

Mark, that this message was dated the 10th of July, 1832. The Presidential election was coming on. Jackson threw out these sentiments. There was a collision at that time between your Federal Court and the Executive of the State of Georgia, to which I shall refer presently; but in this connection there is a document which bears on this matter. This message of General Jackson was written on the 10th of July, 1832. In the fall of that year he was re-elected by a tremendous majority. Soon after that, certain individuals, who had been contesting the power of Georgia to imprison them, contrary to a decision of the Supreme Court of the United States, abandoned that controversy, and appealed to the magnanimity of the State of Georgia for release from their penitentiary, and they were released; and in the proclamation of the Governor of that State, setting forth the reasons which induced him to pardon these prisoners, he says:

"And also taking into view the triumphant ground which the State finally occupies in relation to this subject, in the eyes of the nation, as has been sufficiently attested through various channels, especially in the recent overwhelming re-election of President Jackson, the known defender of the rights of the State throughout this controversy."

I put that in to show that at that time the Democratic party, with General Jackson at their head, were fighting this battle on one side, and the Supreme Court on the other; and the Governor of Georgia, in letting these individuals out of the penitentiary of the State, in a solemn proclamation of his, put in, as one of the causes moving him to do it, that by the re-election of General Jackson the position which the State of Georgia had assumed had been sanctioned and sustained by the people, or by the Democratic party, which at that time made an overwhelming majority of the people, and re-elected General Jackson. It may add some confirmation to the authority of this opinion of General Jackson, thus solemnly put forth, if we reflect who were members of the Cabinet at that time. I believe the present Chief Justice of the United States was one. The present Secretary of State was a member of his Cabinet, and I think Edward Livingston was, also, at the time this doctrine was thus put forth.

In regard to this matter of the authority of the Supreme Court of the United States, I want to give a little history, as it is given by one of the judges of the Supreme Court of Georgia, of the manner in which this doctrine has been viewed in that State. I rea[illegible] from the fourteenth volume of Georgia Reports, by T. R. R. Cobb, and the case is the case of Padelford, Fay, & Co. vs. the Mayor and Aldermen of the city of Savannah. It is a very learned opinion. It goes over the whole history of the discussions as to the formation of the Constitution, and then it comes to Georgia. I must crave the patience of the Senate while I read this, for it is an instructive history. Said Judge Benning:

"Let us pass to Georgia. We have no evidence of the doings of the convention of this State which ratified the Constitution, except simply the ratification itself. But we have numerous acts and declarations of the State, some of them almost contemporaneous with the ratification, which tell the mind of Georgia, on the subject, more emphatically, if possible, than the mind of any of the other States is told by the records of their conventions. These I shall call to my aid.

"The first act of Georgia to which I shall refer will be her denial of jurisdiction to the Supreme Court of the United States, in a case which was brought against her in that Court. It was the case of Chisholm, executor, against Georgia.

"This action was instituted in August term, 1792. On the 11th of July, 1792, the marshal for the district of Georgia made the following return:

"'Executed as within commanded: that is to say, served a copy thereof on his Excellency Edward Telfair, Esq., Governor of the State of Georgia, and one other copy on Thomas P. Carnes, Esq., the Attorney General of said State.

"'ROBERT FORSYTH, *Marshal.*'

"Georgia did not appear in the case. The plaintiff then moved, that unless the State, after reasonable notice of that motion, should cause an appearance to be entered for her, or show cause to the contrary, judgment should be entered against her, and a writ of inquiry of damages be awarded." * * *

"So the Court '*Ordered*, that unless the said State shall either in due form appear, or shew cause to the contrary, in this Court, by the first day of next term, judgment, by default, shall be entered against the said State.' The reporter adds, in a note, that, 'in Feburary term, 1794, judgment *was* rendered for the plaintiff, and a writ of inquiry awarded. The writ, however, was not sued out and executed; so that this cause, and all of the other suits against States, were swept at once from the records of the Court, by the amendment of the Federal Constitution.'

"Georgia treated the Court with contempt, in respect to this case. Her position was, that the Court had no jurisdiction of *her* as a *party*."—*Georgia Reports*, vol. 14, p. 479.

He goes on to say:

"Now, in this position, Georgia triumphed. First, the judgment against her fell dead. The plaintiff in the case, himself, did not so much as have his writ of 'inquiry' executed. He obtained the judgment, by default, in 1794. Nothing more was done in the case until 1798, after the amendment of the Constitution had been made, when this and other similar cases were 'swept from the records.'" * * *

"The next act to which I shall refer is the denial, by Georgia, of jurisdiction to the Supreme Court in the cases of Worcester and Butler *vs.* Georgia, to be found reported in 6 Peters, 5, 15. The question in those cases was, whether an appeal lay from the superior courts of Georgia to the Supreme Court of the United States; whether, in other words, the twenty-fifth section of 'the act to establish the Judicial Courts of the United States,' passed in 1789, which gives to the Supreme Court of the United States the power of revising and reversing judgments and decrees of State courts, is constitutional?

"In these cases, Worcester and Butler were indicted, convicted, and put in the penitentiary, for violating the laws of Georgia, which forbade white persons to reside within the Cherokee nation of Indians without the permission of the Governor, and without having taken an oath to support and defend the Constitution and laws of Georgia, and uprightly demean themselves as citizens thereof. The case occurred in the Superior Court of Gwinnett county. A writ of error was issued from the Supreme Court of the United States, on the application of the defendants, to the judges of the Superior Court for the county of Gwinnett. The clerk of that court returned a transcript of the cases to the Supreme Court of the United States. But the judges of the court had nothing to do with this act of the clerk. He did not recognise the right of the Supreme Court to issue the writ.

"The Supreme Court of the United States, by Marshall, C. J., said that it was 'too clear for controversy, that the act of Congress by which this court is constituted has given it the power, and of course imposed on it the duty, of exercising jurisdiction in the case.'

"Accordingly, that court took jurisdiction, and 'adjudged that the judgment rendered in the premises by the said Superior Court of Georgia,' whereby the said Samuel A. Worcester is sentenced to hard labor in the penitentiary of Georgia, ought to be reversed and annulled; 'and further' adjudged that said judgment 'be, and hereby is, reversed and annulled;' and that a special mandate do go from this court to the said Superior Court, to carry this judgment into execution. The judgment was the same in the Butler case.

"Now, what did Georgia do on receipt of this special mandate? Through every department of her Government she treated the mandate and the writ of error with contempt the most profound. She did not even protest against jurisdiction, as she had done in the case of Chisholm's executors; but she kept Worcester and Butler in the penitentiary, and she executed, in the Creek nation, the laws, for violating which they had been put in the penitentiary." * * *

Judge Benning, in delivering his opinion, says further:

"It was not only in this case that Georgia occupied this position; she did it in two other cases, and those, cases of life and death: the case of Tassels, and that of Graves. One of these happened before these of Worcester and Butler, namely, in 1830; the other afterwards, in 1834. The Supreme Court had issued writs of error in each of these cases, on the application of the defendants to the State of Georgia; but, as the cases are not reported, it is to be presumed that these writs never got back to the Supreme Court; or that, if they ever did, it was too late. It is certain that Georgia hung the applicants for the writ."

In the Tassels case, the Legislature passed these, among other resolutions:

"'*Resolved*, That the State of Georgia will never so far compromit her sovereignty, as an independent State, as to become a party to the case sought to be made before the Supreme Court of the United States, by the writ in question.

"'*Resolved*, That his Excellency the Governor be, and he and every other officer of this State is hereby, requested and enjoined to disregard any and every mandate and process that has been, or shall be, served on him or them, purporting to proceed from the Chief Justice or any Associate Justice of the Supreme Court of the United States, for the purpose of arresting the execution of any of the criminal laws of this State.'

"Similar resolutions were passed, as to the case of Graves, by the Legislature of 1834."

I have read enough of that; but I will simply read one sentence from the heading of the decision, by the reporter. He says it was decided that—

"The Supreme Court of Georgia is coequal and co-ordinate with the Supreme Court of the United States; and therefore the latter cannot give the former an order, or make for it a precedent."

I do not stand here to controvert a single word of any of these sayings or doings; but I simply say that if the State of Wisconsin, through the judicial functions of her highest court, has, by her decisions, decided that a law of the United States is unconstitutional, I believe her court did not, in the delivery of that opinion, make it a solemn decision that they would treat the Supreme Court of the United States with contempt the most profound. That is the way in which that court was treated elsewhere, and Georgia did not stand alone. In a letter written by a Senator from Georgia, Senator Troup—I have the letter by me, but I do not like to deal entirely in quotations—he wrote home to his people, assuring them that in their controversy with the Supreme Court the President was with them, and he recommended to them caution and moderation. So, sir, down from 1792, in the case of Chisholm's executors, up to 1854, the State of Georgia has always denied the authority of the Supreme Court of the United States to construe law for Georgia; and denied that it had any jurisdiction over the criminal laws of the State, and asserted that a law of Congress undertaking to give it that jurisdiction was unconstitutional.

Sir, I know something about the history of this United States court, and I know something of the history of parties in reference to it. I know that the war to which I have alluded, commenced by Jefferson and continued by Jackson, was carried on until the Democratic party triumphed and the court knocked under; and then, when they did that, when they came in with such decisions as party policy required of them, the party that had been fighting them this life-long battle became great sticklers for the dignity and binding authority of the Supreme Court of the United States.

I know the history of that court. I know how its appointments have been filled up; and I think that I can appeal to the candid judgment of the country when I say that the men who [illegible] there for the last thirty years, have been appointed more on account of their politics than their judicial learning or their legal reputation. As a general rule, you sought politicians instead of lawyers to fill up that bench with. I know very well that you have sought men who were connected with the law, and had some sort of legal reputation, perhaps legal reputation enough to keep the whole country from crying out against the absurdity of the appointment; but I do not believe they have all come up even to that standard, and you have made it a political tribunal. You have warred against its independence. Year after year, generation after generation, you have denied its authority. You have proclaimed that every tribunal in the country might construe the Constitution for itself, and that every officer who took an oath to support it might do so. You have derided the authority of the Supreme Court of the United States. Now, having carried on this war, and having conquered, and the Supreme Court of the United States having come down from the high place which the Constitution assigned them, to work in your party harness, side by side with your caucuses, you are seized with a great reverence for them. Those who have that reverence may profess it. I confess, sir, that it is no pleasure to me to make this statement. I do it with pain; but it is the truth of history, and it is the truth of God, and it ought to be told; and I will tell it.

Again, sir, let me read what Mr. Buchanan said. He is at the head of the Government now, and here is the doctrine of Buchanan on the subject. Mr. Buchanan, in a speech which he made in the Senate July 7, 1841, which is to be found in the tenth volume of the Congressional Globe and Appendix, No. 2, page 163, used this language:

"But even if the judiciary had settled the question, I should never hold myself bound by their decision, whilst acting in a legislative character. Unlike the Senator from Massachusetts, [Mr. Bates,] I shall never consent to place the political rights and liberties of this people in the hands of any judicial tribunal. It was therefore with the utmost astonishment I heard the Senator declare, that he considered the expositions of the Constitution by the judiciary to be equally binding upon us as the expositions of the moral law by the Saviour of mankind, contained in the Gospel, were upon Christians; and that these judicial expositions were of equal authority with the text of the Constitution. This, sir, is an infallibility which was never before claimed for any human tribunal; an infallibility which would convert freemen into abject slaves; an infallibility which would have rendered the famous sedition law as sacred as the Constitution itself, the judiciary having decided this law to be constitutional; and which would thus have annihilated, throughout the whole extent of this Union, the liberty of the press and the freedom of speech. No, sir, no; it is not the genius of our institutions to consider mortal men as infallible.

"No man holds in higher estimation than I do the memory of Chief Justice Marshall; but I should never have consented to make even him the final arbiter between the Government and people of this country on questions of constitutional liberty. The experience of all ages and countries has demonstrated that judges instinctively lean towards the prerogatives of Government; and it is notorious that the court, during the whole period which he presided over it, embracing so many years of its existence, has inclined towards the highest assertion of Federal power. That this has been done honestly and conscientiously, I entertain not a doubt."

That is Mr. Buchanan. Another high authority, a Mr. TOOMBS, of Georgia, a Representative of that State on the floor of the House of Representatives, in a speech which he made there, said:

"The only difficulty on this point has arisen from some decisions of the Supreme Court of the United States. It is true, they have talked vaguely about the doctrine of the general sovereignty of the Federal Government. I attach but little importance to the political views of that tribunal. It is a safe depository of personal rights; but I believe there has been no assumption of political power by this Government which it has not vindicated and found somewhere."

No assumption of political power which that court has not vindicated and found somewhere! Now, Mr. President, this being the fact of history, that that court, as Mr. Buchanan says, instinctively leans to the prerogative of Government, and, as the Representative from Georgia says in the speech I have quoted, sustaining every assumption of political power, I choose to stand with the fathers of the faith, and take my position with Jefferson and Jackson; and I do not know that it is any harm to put Buchanan in, [laughter,] and stand with him, too, and with the views which they entertained of the Constitution.

Mr. President, let me say again, that I regret to be under the necessity of saying these things. If there was one single hereditary thing that I had, it was a reverence for courts. I confess that I had got rid of a little of it before I left home. I had a suspicion even in New Hampshire that judges were mortal and fallible. That has been growing and gaining on me constantly here; and the opinions of this Supreme Court upon political questions, to my mind, have no weight at all; and, notwithstanding the invocation which we have heard so many times, for us to vindicate our fidelity to the Constitution by our reverence for this tribunal, I cannot listen to the appeal. I believe that, in the position it now occupies, it is a dangerous department of this Government. I believe that its history has verified all, and more than all, that Jefferson ever prophesied of it; and I believe that its encroachments must be met; and if they will not be met by Congress, they must be met, as Jefferson said, by the action of the State Governments; and I thank the Senator from Georgia and the Supreme Court of Georgia for having promulgated the doctrine that the State Supreme Courts are not subordinate, but co-ordinate branches, and that there is no right to send a mandate from the Supreme Court of the United States to one of the State courts. I say, I thank them for that precedent; but, in saying that, I do not say that I would go to that extent; but I think it is a good thing that that decision has been made, and that it stands as an exposition of that high tribunal, of the manner in which they construe the Constitution. This decision of the State of Georgia has peculiar force, from the fact that it is nothing new; it is no new light; it has not sprung up out of any of the growing controversies of the day; but it dates back to the better days of the Republic. It goes back to 1792, and comes down to 1854; and you find that State occupying a uniform position on this subject; and I think it is a little unkind, a little out of place, for the State of Georgia to censure the State of Wisconsin, or any other State, for following in the tracks which she has so plainly and so clearly indicated.

But, sir, the State of Georgia does not stand alone upon this subject. There are some other decisions on the same subject which I will thank my friend from Wisconsin to read for me on this occasion.

Mr. DOOLITTLE. I read from 3 Dallas's Reports a decision of the Supreme Court of Pennsylvania, decided in 1788, in which this question was discussed and decided. The Chief Justice, delivering the unanimous opinion of the court, used the following language:

"The divisions of power between the National, Federal, and State Governments, (all derived from the same source, the authority of the people,) must be collected from the Constitution of the *United States*. Before it was adopted, the several States had absolute and unlimited sovereignty within their respective boundaries; all the powers, legislative, executive, and judicial, excepting those granted to Congress under the old Constitution. They now enjoy them all, excepting such as are granted to the Government of the *United States* by the present instrument and the adopted amendments, which are for particular purposes only. The Government of the *United States* forms a part of the Government of each State; its jurisdiction extends to the providing for the common defence against exterior injuries and violence, the regulation of commerce and other matters especially enumerated in the Constitution; all other powers remain in the individual States, comprehending the interior and other concerns; these combined form one complete Government. Should there be any defect in this form of Government, or any collision occur, it cannot be remedied by the sole act of the Congress, or of a State; the people must be resorted to, for enlargement or modification. If a State should differ with the *United States* about the construction of them, there is no common umpire but the people, who should adjust the affair by making amendments in the constitutional way, or suffer from the defect. In such a case, the Constitution of the *United States* is Federal; it is a league or treaty made by the individual States as one party, and all the States as another party. When two nations differ about the meaning of any clause, sentence, or word, in a treaty, neither has an exclusive right to decide it; they endeavor to adjust the matter by negotiation; but if it cannot be thus accomplished, each has a right to retain its own interpretation, until a reference be had to the mediation of other nations, and arbitration, or the fate of war. There is no provision in the Constitution that in such a case the judges of the Supreme Court of the *United States* shall control and be conclusive; neither can the Congress by a law confer that power."—*Respublica* vs. *Cobbett*, 3 *Dallas's Reports*, page 475.

I read, also, from the 4th volume of Munford's Reports "of cases argued and determined in the Supreme Court of Appeals of Virginia," from a case decided in 1814—the case of Hunter *vs.* Martin, devisee of Fairfax:

"Soon after the case of Hunter *vs.* Fairfax's devisee (reported in 1 Munf., 218—238) was decided, the appellee, Martin, obtained a writ of error from the Supreme Court of the United States, requiring the Court of Appeals of Virginia to certify the record for re-examination by that court."

The Supreme Court of the United States reversed that decision, and sent back the record, with a mandate, to the Court of Appeals of Virginia, requiring them to conform to its decision. After being fully argued, the court entered the following unanimous opinion:

"The court is unanimously of opinion that the appellate power of the Supreme Court of the United States does not extend to this court, under a sound construction of the Constitution of the United States; that so much of the twenty-fifth section of the act of Congress to establish the judicial courts of the United States as extends to the appellate jurisdiction of the Supreme Court to this court is not in pursuance of the Constitution of the United States; that the writ of error in this case was improvidently allowed under the authority of that act; that the proceedings thereon in the Supreme Court were *coram non judice* in relation to this court; and that obedience to its mandate be declined by this court."

Mr. HALE. I trust, sir, that enough of authority on this subject has been quoted, and I leave that branch of the case. I propose now to address myself to another count in the indictment against the free States, and that is:

"I charge it [the Republican party] with openly attempting to deprive the people of the slaveholding States of their equal enjoyment of, and equal rights in, the common Territories of the United States, as expounded by the Supreme Court, and of seeking to get control of the Federal Government, with the intent to enable it to accomplish this result by the overthrow of the Federal judiciary."

Now, I apprehend that here is the whole real difficulty at issue. It is what is called the territorial question, or the rights of the people of the several States in the Territories. The complaint is constantly made, that we seek to exclude, by the action of the General Government, several of the confederate States from an equal enjoyment in the common Territories of the Union. How do we seek to exclude them? We do not propose to make any law that we are not willing to abide by ourselves. We do not ask any such law. Every law that we seek, every doctrine we proclaim, is general. We do not propose one law for a Northern State and another for a Southern; but every right that you give to a citizen of my State, we propose to give to the citizens of every State; and the general law which we ask Congress to pass, we ask them to pass for the whole Union, and for all the citizens of every State. But, sir, it is just as well to meet the question fairly, and not undertake to evade it by any general propositions. Several of these States are slaveholding States, and they contend that slaves are property, and that they have a right to protection for slave property in the Territories; and if we do not give them protection to the slave property in the Territories, they say the Constitution is violated. This is the second charge in the indictment against the free States. Now, let us say a word about that. The honorable Senator from Texas, [Mr. WIGFALL,] and I thank him for the position he has taken, for it calls to my mind a sentence of his which I propose to read, which I think spoke more truth than he was aware of, when he said:

"I am one of those who believe that all the difficulties that this country labors under arise from a misapprehension—I say it with great deference, but I really believe it—a misapprehension of some of the most distinguished men that this country has ever produced, as to the form of government under which we are living."

I am not going to repeat the illustration of that which the honorable Senator gave, because I think, as the honorable Senator from Arkansas [Mr. JOHNSON] said of me, that that was a suggestion which came rather from his wit than his judgment. But, sir, there is great truth in it. There is a misapprehension, and a great and fundamental misapprehension, as to the character of the Government under which we live, by many of the first men of this country, or that think themselves so. I gather the evidence of that fact from the flippant manner in which I hear disunion talked of, and threatened and referred to over and over and over again, as familiarly as any of the ordinary transactions of daily life. That is nothing new. It is old. Why, sir, since I have had the honor of a seat on this floor, I have actually heard it declared, that if the Senate did not take up bill No. 85, instead of bill No. 35, serious consequences would ensue to this Union. Yes, sir, the duration of this great and gigantic Government depended on the order in which the Senate went to its business on the Calendar. I have heard that on this floor, and it has got to be constantly referred to as one of the things that is very likely to happen, and to happen very soon; and gentlemen speak of it as an occurrence that is neither to be very seriously deprecated, nor that is to excite any very serious consequences; and it is intimated that if the Union was dissolved, these gentlemen could make a better one to-morrow. That is substantially the spirit in which this Union is spoken of, and has been here during this whole session, in this body and in the other. I do not, of course, pretend to quote words. Therefore, I think, with the honorable Senator from Texas, that there is a very great misapprehension as to the character of this Government. What is this Government? What is this Union? A thing of to-day? Did it spring up in the night, like Jonah's gourd, and is it to perish with the morning's sun? Is it one of those ephemeral creations which spring up without cause, and endure for a given time and pass away, and leave no mark on the history of ages? Is that the character of our Government? It would seem so; and there was great propriety in the remark which fell from the honorable Senator from Texas, that gentlemen do misapprehend it. What is it? Why, sir, the imagination of man cannot compass it. I look upon this Government and this Union and this Constitution as the consummation of the education of the race by a beneficent Providence, through all the ages that are past. I look upon this Government to-day, occupying that little space called the present, between the eternities of the past and the future, and living to-day as the result of all the past. I look upon it, sir, as a consummation which a good God, by six thousand years of discipline, has brought humanity to. I look upon it as the result and the fruit of all the past. I do not believe that there has ever been a battle-field, in which the banner of liberty has been unfurled and the friends of liberty have fought, whether favorable or adverse fortunes have been their destiny, but what we are to-day living in the enjoyment of the consequences resulting in part from that combat. No, sir; in all the bloody past, not a scaffold upon which the patriot has poured out his blood, not a sacrifice that patriotism has ever made, not a prayer that piety has ever breathed, that is not exerting its influence to-day in the civil and political condition of this people. Sir, the history of the world has been full of revolutions. Ours was *the* Revolution. Ours was the culmination of that Christianity whose first public lesson was deliverance to the captive, and the opening of the prison-doors to the bound.

That, sir, is our situation. That is our Government. Other nations have had revolutions. Borne down by the intolerable weight of oppression, they have risen in the energy of despair, and thrown off one tyrant, only that another might come and take his place; and it would seem as if, in all the past, in the history of human government, in the history of the great efforts that had been made for the installation of human liberty in organized forms of government, nothing but failure had been the history of mankind; and that, at last, in the fullness of time, when the purposes of Divine benevolence were to be tried, to solve for the last time the problem, whether man was capable of self-government, the eye of science discovered, in the solitudes of ocean, this continent to which our Pilgrim Fathers came, that, removed from the temptations and trials of the Old World, they might here, on permanent and stable foundations, lay another foundation of the temple of Liberty, and rear upon it its superstructure, where the victims of oppression from all the earth might enter, and be at rest. Aye, sir, and on their battle-fields they lighted the beacon-fires of liberty which now shine to lighten the victims of despotism the world over. You propose now to put out these everlasting lights which your fathers lighted. You propose to let darkness rest upon the prospect of this glorious Union, and think that to-morrow you can rear a better structure, and send out a more benign influence to the nations than your fathers have done before you!

I am not of that way of thinking; I do not believe a word of it; and I will say here what I have said to my people at home, that if I did not believe the great mass of this people understood the nature of their Government better, had more intelligence and more patriotism than the men whom they have sent to represent them—I speak not of the present, but as a general fact—if the intelligence, and integrity, and virtue, of the great mass of this people did not exceed that of the Government, I should despair of the duration of this Union; I should think that it would dissolve, and that it ought to be dissolved.

Now, sir, in regard to this territorial question; suppose that the General Government, by its action, were to declare that there should not be a slave on the territory belonging to the United States, you say that would be cause of dissolution. That was just exactly the Union which our fathers made for us; just exactly the compact which they enacted before the Constitution was formed; and this was done under the lead of a man whose opinions, it is said, were of such a character, that it is audacity in those of us who sit on this side of the Chamber to claim him as being of our faith. Before I go to this territorial question, I want to say a few words as to Jefferson's opinions, and upon this point we are not compelled to grope in the dark. I know that an honorable Senator from Georgia, the one to whom I have been replying, has quoted once, and more than once, on a former occasion, a letter of Mr. Jefferson, written to Mr. Holmes; and in the speech of the honorable Senator, with reference to that, he uses language which I will quote. The honorable Senator says, speaking of Mr. Jefferson:

"Jefferson was alive when the eighth section of the act of 1820 was before the American Congress. He spoke for himself. In the face of your constant declarations—cold, calculating, willful misrepresentations of him—hear him speak for himself. I thunder it in your ears. I would to God my voice could reach those whom you deceive and betray."

The honorable Senator has a powerful voice; mine is but a feeble one; but I will lend him my voice to aid him; and I would that I could thunder this letter into the ears of every man, woman, and child, in this country. I did not know, from hearing this letter so often referred to, but that there might be something in it that would be found to be inconsistent with the early faith of Mr. Jefferson. It was written in 1820. He was then seventy-seven years old—threescore and ten, and past; and that fourscore, which the inspired penman tells us is feebleness, he had long entered upon; and I did not know but that there might have been something, when the evening shadows of life were upon him, that might have been inconsistent with his early faith; and I had determined, if it were so, upon this line of argument; I would have said, I will take the Jefferson of the Revolution; I will take him in the morning of his life, in the maturity of his manhood; I will take him as the apostle and prophet of the Revolution; I will listen to him as he stood like the prophet on the mount, catching the electric fire of heaven, and pouring it out in articulate thunder in the ears of an astonished world, in the sublime truths of the Declaration of American Independence. But when I came to look at this letter, I found that his fire had not grown dim. The same sentiments which had animated him in his earliest days, the same sentiments which were the guiding policy of his administration as President of the United States, still shone forth in this famous letter to John Holmes, which the honorable Senator wants to thunder so far. I do not think that thunder would alarm anybody—certainly not on this side of the Chamber. I will read an extract from that letter. What Jefferson was against, in this letter to John Holmes, was a geographical line; but he exhibited the same hostility to slavery that he ever manifested. Let me read his letter:

"A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper. I can say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any *practicable* way. The cession of that kind of property, for so it is misnamed—[It is misnamed property, says Jefferson in this letter]—is a bagatelle which would not cost me a second thought, if in that way a general emancipation and *expatriation* could be effected; and gradually, and with due sacrifices, I think it might be."

There are the sentiments of Jefferson, in 1820, when he was seventy-seven years old. Talk, said Jefferson, about property in slaves; it is a misnomer. The purpose of his heart is, that a general emancipation and expatriation may take place. That was the language of Jefferson in 1820. We all know what Jefferson's sentiments were when he penned the Declaration of Independence. It did not read there that "all white men are created" so and so; but "all men." "We hold these truths to be self-evident." They were not capable of demonstration; they were not the result of any previous premises or positions; they were eternal, self-evident axioms, that were not to be argued; and those were, that all men were endowed by their Creator with the inalienable right to life, liberty, and the pursuit of happiness. Jefferson did not base the right of man to liberty on anything that had been said by anybody; on any essay that had been written; on any battle that had been fought; on any theory of philosophy that had been broached; he stopped nothing short of the throne of God, and declared that all men were entitled to the right of life and liberty, because they were endowed with that right by their Creator.

What were his sentiments afterwards? The war of the Revolution was over. Victory had crowned his efforts; he had penned this Declaration, and he said he had pledged his life and fortune and honor to the maintenance and vindication of the sentiments which had there been avowed. Peace took place in 1783. In 1784, we find Jefferson in Congress, and one of "a committee, consisting of Mr. Jefferson of Virginia, Mr. Chase of Maryland, and Mr. Howell of Rhode Island, to submit to Congress a plan for the temporary government of the western territory," and he says that "the territory ceded or to be ceded," all that we have got, all that we shall acquire hereafter, "shall be governed" by a certain ordinance which they reported, and among its provisions was that, after the year 1800 of the Christian era, there should be neither slavery nor involuntary servitude in any of the States that were to be made out of this territory.

That was the position of Jefferson in 1784. It is said that he did not embody these views in the Constitution. Well, sir, we find him subsequently as President of the United States; and what did he do then? Remember that the ordinance of 1787 had been reaffirmed by the First Congress that assembled under the Constitution, George Washington himself being the President of the United States, and it was approved by him. In 1805, the Territory of Michigan was formed by a law entitled "An act to divide the Indiana Territory into two separate Governments;" and the second section is as follows:

"There shall be established within the said Territory, a Government in all respects similar to that provided by the ordinance of Congress, passed on the 13th day of July, 1787, for the government of the territory of the United States northwest of the river Ohio."—*Statutes at Large*, vol. 2, p. 309.

Jefferson, on the 11th January, 1805, approved that anti-slavery ordinance. In the same volume, on page 515, is to be found another act bearing also the approval of Mr. Jefferson, of February 3, 1809. That was an act for dividing the Indiana Territory into two separate Governments, and constituting the Territory of Illinois; and in the second section of the act there was the same provision:

"SEC. 2. *And be it further enacted*, That there shall be established within the said Territory a Government in all respects similar to that provided by the ordinance of Congress, passed on the 13th day of July, 1787, for the government of the territory of the United States northwest of the river Ohio."

A similar act was passed for the Territory of Indiana, on the 7th of May, 1800, John Adams being President. On the 20th of April, 1836, the Territory of Wisconsin was organized, and exactly the same provison was put in that:

"That the inhabitants of the said Territory shall be entitled to, and enjoy, all and singular the rights, privileges, and advantages, granted and secured to the people of the territory of the United States northwest of the river Ohio, by the articles of the compact contained in the ordinance for the government of said territory, passed on the 13th day of July, 1787; and shall be subject to all the conditions and restrictions and prohibitions in said articles of compact imposed upon the people of the said territory."—*Statutes at Large*, vol. 5, p. 15.

That act was passed on the 20th of April, 1836, General Jackson being President of the United States; and this has been the law that has been in existence since the adoption of the Federal Constitution, unchallenged by anybody, so far as I know, and so far as I have been able to see, until the famous decision in the Dred Scott case, or rather until the repeal of the Missouri compromise by the Nebraska bill, in 1854. This principle, which the court decided to be unconstitutional, was sanctioned by Washington, by Jefferson, by Adams, by Jackson; and I think you may look at the Journals of Congress in vain to find that, in a single instance, any man ever questioned the constitutionality of that legislation. Nay, sir, I doubt, if you were to go through the insane asylums of this land, whether, prior to 1854, you could even find a patient in Bedlam crazy enough to question the constitutionality of the enactment of this provision, which had been so quietly and so uniformly incorporated into the legislation of the country, receiving the sanction of the names which it does upon the statutes which are now part of the records of this Government; and I think it required an extraordinary degree of arrogance and presumption in the Supreme Court of the United States to come forward, at this late day, and say that all the fathers of the Republic, all the framers of the Constitution, all the men who fought the battles of liberty, and who laid the foundations of our institutions, did not know anything about what the Constitution meant, and that, in 1854, for the first time, the true construction of the Constitution on this subject was found out.

Sir, it is difficult to say what may be the result of this controversy here, what may be the result of its action before the tribunal of this Senate and of the other House; but before that tribunal where we must all stand, before that tribunal which pronounces its edicts that nations as well as individuals must obey, and that is the enlightened public sentiment of the world, there can be no shadow of a doubt. If this fabric of our liberties is to fall and become a shapeless mass of ruins, I desire to vindicate the State which I in part represent, I desire to vindicate the political party with which I act from any reproach in this matter; for, sir, I have no doubt that if you could by any possibility succeed, and this Union should be dissolved, terrible would be the indignation of the world, of our own times and of coming ages, upon the party that should be guilty, in the remotest degree, of having aided or accelerated so terrible a catastrophe.

Sir, by the judgment of that tribunal I have no doubt we can stand. Standing upon these landmarks, standing upon the history of our legislation, standing upon the judicial decisions of this court in its earlier and its better days, we can vindicate before our own constituents, we can vindicate before the enlightened public opinion of the world, before posterity and Heaven, before earth and before the final tribunal of all nations, as individuals, the integrity of our position when we stand where the fathers of the Republic stood in enacting the prohibition which you now complain of as so unjust, and as excluding you from your fair share of the public territory and public property. No, sir; this issue is safe. The verdict of posterity cannot be wrong. The judgment of an enlightened public sentiment will be heard, and it will be pronounced, and you cannot deride it.

I have no threats to utter. I have no denunciations to make. I stand as the representative of a State that claims to be observant of the Constitution. I stand here a representative of a State that stands before the tribunal of public opinion, and claims a judgment of not guilty of any charge of want of fidelity or integrity in the manner in which it has executed and discharged the duties that rest upon it. I stand here as a citizen of the United States. I stand here to-day, and speak for my country, and the whole country; I speak for the Constitution and the Union; I speak for the oppressed of earth; I speak for those who, in other lands, are looking to the light of our example, as something that shall guide them through the mazes and intricacies of that despotism under which they have groaned for ages; and I say to you, sir, that any fratricidal hand that is raised against the integrity of this Government and this Union commits a crime, not only against the Constitution, not only against the country, but a crime against humanity—a sacrilege against God, whose great experiment, for the education of mankind in the high science of self-government, is being here illustrated and demonstrated by the light of our example.

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